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Title 3—THE PRESIDENT

Proclamation 3290

MODIFYING PROCLAMATION NO. 3279¹ OF MARCH 10, 1959, ADJUSTING IMPORTS OF PETROLEUM AND PETROLEUM PRODUCTS

By the President of the United States of America

A Proclamation

WHEREAS, pursuant to section 2 of the act of July 1, 1954, as amended (72 Stat. 678, 19 U.S.C. 1352a), I found and declared that adjustments must be made in the imports of crude oil, unfinished oils, and finished products so that such imports would not threaten to impair the national security and by Proclamation No. 3279 of March 10, 1959 (24 F.R. 1781), proclaimed such adjustments;

WHEREAS I find and determine that it is not necessary, in order to prevent imports of crude oil, unfinished oils, and finished products from threatening to impair the national security, to exclude such additional quantities thereof as may be imported pursuant to this proclamation; and

WHEREAS the adjustments of imports of crude oil, unfinished oils, and finished products provided for in the proclamation of March 10, 1959, as modified by this proclamation, are deemed by me to constitute adjustments of such imports so that they will not threaten to impair the national security:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes including section 2 of the act of July 1, 1954, as amended, do hereby proclaim that:

1. On and after June 1, 1959, Proclamation No. 3279 of March 10, 1959, shall be amended as follows:

(a) Paragraph (a) of section 1 is amended by adding, before the period at the end thereof, the following new

clause: “, or (4) crude oil, unfinished oils, or finished products which are transported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils or finished products, is also the country of production of the crude oil from which they were processed or manufactured.”

(b) Paragraph (c) of section 2 is amended to read as follows:

“(c) The levels of authorized imports established by paragraphs (a) and (b) of this section shall not include imports of crude oil, unfinished oils, or finished products excepted by clause (4) of paragraph (a) of section 1; and the quantities subject to allocation pursuant to section 3 shall not be reduced by reason of such excepted imports, except that (i) the daily quantities of authorized imports into District V subject to allocation shall, after June 30, 1959, be reduced by the average daily quantities of entries, and withdrawals from warehouse, for consumption in that District which would have been excepted by clause (4) of paragraph (a) of section 1 if that clause had been operative during the period March 11 to April 23, 1959, and (ii) if the President should find, and notify the Secretary of the Interior, that, for any period for which allocations are made, a reduction is necessary in order to prevent total imports into Districts I-IV or into District V from seriously impairing accomplishment of the purposes of this proclamation, the quantities of authorized imports into Districts I-IV or into District V, as the case may be, subject to allocation shall be reduced to the extent found necessary by the President.”

(c) Paragraph (b)(1) of section 3 is amended by inserting after the word “inputs” the following phrase: “(excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1)” and by deleting therefrom the second sentence; and paragraph (b)(3) of section 3 is amended by deleting therefrom the second sentence.

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¹ 24 F.R. 1781.



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CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplements are now available:

Title 7, Parts 900-959 (\$1.50)

Title 14, Parts 1-39 (\$0.55)

Titles 44-45 (\$0.60)

Previously announced: Title 3, 1958 Supp. (\$0.35); Titles 4-5 (\$0.50); Title 7, Parts 1-50, Rev. Jan. 1, 1959 (\$4.00); Parts 51-52, Rev. Jan. 1, 1959 (\$6.25); Title 8 (\$0.35); Title 9, Rev. Jan. 1, 1959 (\$4.75); Titles 10-13, Rev. Jan. 1, 1959 (\$5.50); Title 14, Parts 40-399 (\$0.55); Title 18 (\$0.25); Titles 22-23 (\$0.35); Title 24, Rev. Jan. 1, 1959 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Parts 80-169 (\$0.20); Parts 170-182 (\$0.20); Part 300 to end, Title 27 (\$0.30); Titles 28-29 (\$1.50); Title 32, Parts 700-799 (\$0.70); Part 1100 to end (\$0.35); Title 32A (\$0.40); Title 33 (\$1.50); Titles 35-37 (\$1.25); Title 38 (\$0.55); Title 39 (\$0.70); Titles 40-42 (\$0.35); Title 43 (\$1.00); Title 46, Parts 1-145 (\$1.00); Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Part 30 to end (\$0.30); Title 49, Parts 1-70 (\$0.25); Part 71-90 (\$0.70); Parts 91-164 (\$0.40)

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2. On and after the date of this proclamation, paragraph (b) of section 1 of Proclamation No. 3279 of March 10, 1959, is amended to read as follows:

"(b) The Secretary of the Interior may, in his discretion, authorize entries without a license of small quantities of crude oil, unfinished oils, or finished products, including samples for testing or analysis, baggage entries, and informal entries."

The amendment made by this paragraph shall have no effect upon actions taken prior to the day on which it becomes effective.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 30th day of April in the year of our Lord nineteen hundred and fifty-nine, [SEAL] and of the Independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER

By the President:

DOUGLAS DILLON,
Acting Secretary of State.

[F.R. Doc. 59-3800; Filed, May 1, 1959; 10:16 a.m.]

(b) The portion of each of the following premises in which live khapra beetles were found has received the approved fumigation treatment, but these premises must continue under frequent observation and inspection for a period of one year following fumigation before a determination can be made as to the adequacy of such treatment to eradicate the khapra beetle in and upon such premises. During this period regulated articles may be moved from the premises only in accordance with the regulations in this subpart.

CALIFORNIA

P. Callo property, located 2 miles west of the intersection of Roads 90 and West C on the south side of Road 90, P.O. Box 44, Niland.

Tom Mejia property, located at the southwest corner of the intersection of Roads 90 and West C, P.O. Box 662, Niland.

Subsequent to the nineteenth revision, effective April 2, 1959, infestations of the khapra beetle were discovered on the premises of M. E. Petty Rabbit Yard, Route 1, Box 181, Mesa, Arizona; H. V. Dempsey Grocery & Feed, 1908 South Broadway, Truth or Consequences, Mimbres Valley Farmers Association, 200 West Railroad, P.O. Box 311, Deming, and Schaaf Oil Company Filling Station, Grocery and Feed Store, located at the south end of town on U.S. Highway 85, Box 688, Truth or Consequences, in New Mexico. Movement of regulated articles from these properties was immediately stopped. Within a few days the infested premises had been fumigated in their entirety and declared free of khapra beetle infestation. Accordingly, these properties are not being included in this revision.

This revision has the effect of revoking the designation as regulated areas of certain premises in California, it having been determined by the Director of the Plant Pest Control Division that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises. It also adds certain premises in California and New Mexico to the list of premises in which khapra beetle infestations have been determined to exist, and designates such premises as regulated areas under the khapra beetle quarantine and regulations.

As an informative item, the revision segregates certain regulated premises in California where the approved fumigation treatment has been applied to the portion of the premises in which live khapra beetles were found and which are consequently in a somewhat different category than untreated premises.

These administrative instructions shall become effective May 2, 1959, when they shall supersede P.P.C. 612, Nineteenth Revision, effective April 2, 1959 (24 F.R. 2557).

These instructions, in part, impose restrictions supplementing khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of certain regulated areas. They must be made effective promptly in order to carry out the purposes of the regulations and to be

RULES AND REGULATIONS

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 612, 20th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Khapra Beetle

REVISED ADMINISTRATIVE INSTRUCTIONS DESIGNATING PREMISES AS REGULATED AREAS

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), revised administrative instructions are hereby issued as follows, listing premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.

Infestations of the khapra beetle have been determined to exist in the premises listed in paragraphs (a) and (b) of this section. Accordingly, such premises are hereby designated as regulated areas

within the meaning of the provisions in this subpart:

(a)

ARIZONA

Tom Drennen Farm, located ½ mile north and 2 miles east of LOFO No. 1, c/o Colorado River Trading Co., Parker.

Hi-Jolly Date Farm, 4500 East Main Street, Mesa.

CALIFORNIA

Coachella Valley Feed Yard, located east side of Highway 111, south of Avenue 54, P.O. Box 226, Thermal.

Will Gill & Sons Feed Yard, 13402 Road 26, Madera.

J. T. Grammer farm property, Route 2, Box 248, located at County Roads East B and 12, north of Highway 99, east of railroad track, Heber.

NEW MEXICO

Jim Akers, Dairy Farm, Highway 85, located 2 miles south of Hatch, P.O. Box 12, Hatch.

Brazeal Mercantile Company, General Merchandise, Grocery and Feed (only store in Rincon), Rincon.

Frank Erdell (dairy), located 2 miles west and 1 mile north of the junction of Highways 70-80 and 85, Route 2, Box 85, Las Cruces.

J. H. Lettis (game and poultry farm), 605 Gibson Road, Dona Ana County, N. Mex.

Price's Dairy Farm, Vinton Road, located 3 miles southwest of Anthony, Dona Ana County, Box 205, Anthony.

Telles Superette Market, located 0.2 mile east of State Highway 28, La Mesa.

Webb Mercantile (Grocery and Feed Store), Highway 85, Arrey.

J. A. Wilson Dairy Farm, 4701 Anapra Road, Dona Ana County, N. Mex.

of maximum benefit in permitting the interstate movement, without restriction under the quarantine, of regulated products from the premises being removed from designation as regulated areas. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161.)

Done at Washington, D.C., this 29th day of April 1959.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 59-3754; Filed, May 1, 1959;
8:50 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 163]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 922.463 Valencia Orange Regulation 163.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as here-

inafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 30, 1959.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 3, 1959, and ending at 12:01 a.m., P.s.t., May 10, 1959, are hereby fixed as follows:

- (i) District 1: 600,600 cartons;
- (ii) District 2: 415,800 cartons;
- (iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 1, 1959.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-3823; Filed, May 1, 1959;
11:33 a.m.]

[Lemon Reg. 790]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.897 Lemon Regulation 790.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the

Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 29, 1959.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 3, 1959, and ending at 12:01 a.m., P.s.t., May 10, 1959, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 325,500 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 30, 1959.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-3791; Filed, May 1, 1959;
9:29 a.m.]

Title 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board— Federal Aviation Agency

SUBCHAPTER B—ECONOMIC REGULATIONS

[Reg. ER-266]

PART 249—PRESERVATION OF AIR CARRIER ACCOUNTS, RECORDS AND MEMORANDA

Preservation of Voucher Indexes and Documents Supporting Billings to Post Office Department

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 29th day of April 1959.

Part 249 of the Economic Regulations provides that original voucher indexes must be retained for three years whether or not microfilm copies of them have been made. It also provides for the preservation of papers supporting invoices issued by a carrier for a period of one year after settlement of the account involved. This latter provision requires the retention of certain Post Office Department forms (Airmail Dispatch Record, Interline Airmail Record and POD Airmail Exception Record).

Voucher indexes are usually consulted in performing audits, but only for the purpose of locating documents. Therefore, it is the Board's opinion that microfilm copies of them will adequately meet its needs in this respect.

The referenced Post Office Department forms are also used in performing audits. However, it is found that preservation of such forms for less than the presently prescribed one year period will adequately meet the Board's needs for these documents.

The Board therefore finds that authorization (a) to preserve voucher indexes in the form of microfilm copies and (b) to permit the destruction of the aforesaid Post Office Department forms upon expiration of 30 days after settlement of the carriers' claims for service mail compensation, would relieve the air carriers of a burden and appropriate changes should be made in this Part. Further, in connection with such changes the second and third sentences of § 249.11(a), generally referring to the use of microfilm, should be reworded to state clearly that microfilm copies may be kept in lieu of original records pursuant to the provisions of § 249.7.

Since this amendment relaxes or clarifies the existing regulation, public notice and procedure hereon is unnecessary, and the amendment may be made effective upon less than 30 days' notice.

Accordingly, Part 249 of the Economic Regulations is hereby amended effective May 2, 1959:

1. By deleting the second and third sentences of § 249.11(a) and substituting therefor the following: "Microfilm copies may be kept in lieu of original records pursuant to the provisions of § 249.7."

2. By inserting the letter "M" under the column entitled "Microfilm indicator" opposite Category No. 13(a) entitled "Voucher indexes" in the "Schedule of Records" in § 249.11(f).

3. By adding a Category No. 14(d) in the "Schedule of Records" in § 249.11(f) to read:

Category of records	Period to be retained	Microfilm indicator
(d) Copies of Post Office Department Forms: Airmail Dispatch Record (No. 2729), Interline Airmail Record (No. 2733), and POD Airmail Exception Record (No. 2734) supporting mail pay claims.	30 days after settlement.	

(Sec. 204, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 407, 72 Stat. 766; 49 U.S.C. 1377)

By the Civil Aeronautics Board.

[SEAL]

MABEL McCART,
Acting Secretary.

[F.R. Doc. 59-3746; Filed, May 1, 1959;
8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6706]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Walter Marcyan and Marcy Co.

Subpart—*Advertising falsely or misleadingly*: § 13.170 *Qualities or properties of product or service*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Walter Marcyan trading as The Marcy Co., Los Angeles, Calif., Docket 6706, Apr. 9, 1959]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a distributor in Los Angeles, Calif., with advertising falsely that use of his "DYN-A-PAK Food Supplements" containing vitamins and minerals would cause hair to grow faster and stronger and become thicker and glossier, and that the preparation would develop energy and endurance in persons lacking those qualities.

On the basis of the record set up, the hearing examiner made his initial decision and order to cease and desist which, denying respondent's appeal therefrom, the Commission on April 9 adopted as the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Walter Marcyan, an individual trading as The Marcy Co., or under any other trade name or names, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of the product "Dyn-A-Pak", or any product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from, directly or indirectly:

(1) Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication, that the use of such product will:

(a) Check thinning or falling hair;
(b) Prevent baldness;
(c) Cause the hair to grow faster or stronger or become thicker or glossier;
(d) Develop energy or endurance in the cases of persons who are tired, weak, or lack endurance, unless expressly limited to cases where such conditions are the result of a deficiency of one or more of the vitamins or minerals supplied by respondent's product;

(2) Disseminating or causing to be disseminated any advertisement by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said product in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in Paragraph (1) hereof.

By "Final Order", report of compliance was required as follows:

It is ordered, That the respondent, Walter Marcyan, shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: April 9, 1959.

By the Commission.

[SEAL]

ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-3717; Filed, May 1, 1959;
8:46 a.m.]

[Docket 7171]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Nassau Fashions, Inc., et al.

Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1845 *Composition*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Nassau Fashions, Inc., et al., Cleveland, Ohio, Docket 7171, April 9, 1959]

In the Matter of Nassau Fashions, Inc., a Corporation, and Max Reiter and Elsie Reiter, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging manufacturers in Cleveland, Ohio, with selling their garments made from "Fiocco" rayon fabric simulating wool, without clearly disclosing the rayon content.

After acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on April 9 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Nassau Fashions, Inc., a corporation, and its officers, and Max Reiter, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of garments made from fabrics composed in whole or in part of rayon, do forthwith cease and desist from: Failing to set forth the rayon content thereof in a clear and conspicuous manner on invoices, labels and in advertising matter concerning such products.

It is further ordered, That the complaint herein be dismissed as to respondent Elsie Reiter.

By "Decision of the Commission," etc., report of compliance was required as follows:

It is further ordered, That the respondents, Nassau Fashions, Inc., a corporation, and Max Reiter, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: April 9, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-3718; Filed, May 1, 1959;
8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54839]

PART 5—CUSTOMS RELATIONS WITH CONTIGUOUS FOREIGN TERRITORY

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

Examination of Baggage in Foreign Territory and Domestic Checked Baggage in Transit to Another Port Via Foreign Territory

Sections 18.13 and 18.14 of the Customs Regulations permit the movement of certain baggage in bond under manifest without cording and sealing. It has been decided that this procedure can safely be extended to baggage examined in foreign territory before shipment to the United States and domestic checked baggage shipped between two points in the United States through foreign territory under special manifests.

Accordingly, the Customs Regulations are amended as follows:

1. Section 5.5 is amended as follows:
a. The second sentence of paragraph (a), including the special manifest form, is deleted and the following substituted

therefor: "Upon completion of the examination, a special green cardboard manifest not less than 2½ by 4½ inches in size supplied by the carrier shall be completed and attached under customs supervision to each piece of baggage by wire or cord and the baggage placed in the custody of the carrier. The special green manifest shall be in substantially the following form:

UNITED STATES CUSTOMS SPECIAL BAGGAGE MANIFEST

CARRIER'S BAGGAGEMAN: Destroy this tag if owner has access to baggage before arrival in United States.

Check No. _____
Baggage examined and passed at _____ (Office)

(Date)

(U.S. Customs Officer)

b. Paragraph (b) is amended by substituting "In lieu of attaching a special manifest to each piece as set forth in paragraph (a) of this section," for "In lieu of cording and sealing."

c. Paragraph (d) is amended by substituting "In lieu of the procedure set forth in paragraphs (a) and (b) of this section," for "In lieu of sealing and special manifesting as provided for by paragraphs (a) and (b)."

d. Paragraph (e) is amended to read:

(e) The removal of the special tag manifest or the customs car or compartment seal described in paragraphs (a) and (b) of this section may be done only by a customs officer. The tag manifest or any customs seal on the car or compartment shall be removed by the customs officer who boards the train at the port of first arrival in the United States. If the officer finds the special tag manifest, sticker label, or customs car or compartment seal missing or not intact (except as provided for in § 18.3(c) of this chapter), or for any other reason believes that the baggage has been tampered with en route to the United States, he shall detain it for examination.

e. Paragraph (f) is amended to read:

(f) If the baggage is to re-enter contiguous foreign territory before it reaches the final port of entry into the United States, the tag manifest or the seal or seals shall be removed by the customs officer at the first port of entry in the United States after the last transit through foreign territory.

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

2. Section 18.15 is amended as follows:

a. Paragraph (a) is amended by deleting that portion of the first sentence preceding the colon and substituting the following therefor:

(a) Upon the request of the carrier, a special manifest on white cardboard not less than 2½ x 4½ inches in size furnished by the carrier may be completed and attached by wire or cord, under customs supervision, to each piece of checked baggage of domestic origin transported from port to port in the

United States via a foreign port or through foreign territory. This special manifest shall be in substantially the following form:

b. The in-transit manifest form set forth in paragraph (a) is amended by inserting under "In-Transit Baggage Manifest" the following:

CARRIER'S BAGGAGEMAN: Destroy this tag if owner has access to baggage before its return to United States.

and the words "corded and sealed by me and" in the last sentence of the form are deleted.

c. Paragraphs (b), (c), and (d) are redesignated as paragraphs (c), (d), and (e), respectively, and the following new paragraph (b) inserted:

(b) The removal of the special tag manifest described in paragraph (a) of this section may be done only by a customs officer. The tag manifest shall be removed by the customs officer at the final port of re-entry into the United States. If the officer finds the special tag manifest missing or not intact or for any other reason believes that the baggage has been tampered with while outside the United States, he shall detain it for examination. Otherwise, it may be passed without examination.

d. Redesignated paragraph (c) is amended by substituting "In lieu of attaching a special in-transit manifest to each piece as set forth in paragraph (a) of this section," for "In lieu of cording and sealing."

e. Redesignated paragraph (d) is amended by substituting "Except as otherwise provided for in paragraph (e) of this section," for "Except as otherwise provided for in paragraph (d)."

(Sec. 554, 46 Stat. 743; 19 U.S.C. 1554)

These amendments shall become effective upon publication in the FEDERAL REGISTER, except that present stocks of the special tag manifests, modified to delete any reference to cording and sealing and rubber stamped or overprinted with the boxed notice to the carrier's baggageman, may be used until they are exhausted.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: April 24, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3730; Filed, May 1, 1959;
8:48 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAIN- TENANCE CHARGES

Charges

There was published in the FEDERAL REGISTER on January 16, 1959 (24 F.R.

395) a notice of intention to amend § 221.6 of 25 CFR to provide for an increase in the annual operation and maintenance assessment rate from \$6.00 to \$8.00 per acre on the Colorado River Indian Irrigation Project, Arizona, and to establish the maximum annual per acre feet of water per acre at 8 acre feet for certain described sandy areas.

Interested persons were given an opportunity to submit their views, data and arguments concerning the proposed amendment to the Area Director, Bureau of Indian Affairs, P.O. Box 7007, Phoenix, Arizona, within thirty days of the date of publication of the notice in the FEDERAL REGISTER. No objections were received.

The proposed amendment to § 221.6 is hereby adopted as set forth below.

FRED A. SEATON,
Secretary of the Interior.

APRIL 28, 1959.

§ 221.6 Charges.

The annual basic charge against the land to which water can be delivered under the Colorado River Indian Irrigation Project in Arizona, for the operation and maintenance of that project, is hereby fixed at \$8.00 per irrigable acre, whether water is used or not. Payment of this charge will entitle the water user to, but not in excess of, eight acre-feet of water per acre per annum on certain sandy areas as described in a schedule on file at the Colorado Indian Agency, and available for inspection by interested parties, and to five acre feet of water per annum per irrigable acre on all other lands. With the approval of the Superintendent, additional water, reasonably sufficient to carry away alkali salts, may be allowed on certain alkali tracts at no additional charge for the purpose of reclaiming lands by the usual methods, such as flooding and leaching. The foregoing charges and allotments of water shall become effective for the calendar year 1959 and continue in effect thereafter, until further notice.

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U.S.C. 385)

[F.R. Doc. 59-3720; Filed, May 1, 1959; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT [1959 Dept. Circular 418, Revised, Amdt. 1]

PART 309—ISSUE AND SALE OF TREASURY BILLS

Miscellaneous Amendments

MAY 1, 1959.

Department Circular No. 418, Revised, dated February 23, 1954 (31 CFR Part 309) is hereby amended by revising §§ 309.3 and 309.5 as follows:

§ 309.3 Denominations and exchange.

Treasury bills will be issued in denominations (maturity value) of \$1,000, \$5,000, \$10,000, \$100,000, \$500,000 and \$1,000,000. Exchanges from higher to lower and lower to higher denominations of the same series (bearing the same issue and maturity dates) will be permitted at Federal Reserve Banks and at the Office of the Treasurer of the United States, Washington. Insofar as applicable, the general regulations of the Treasury Department governing transactions in bonds and notes will govern transactions in Treasury bills.

§ 309.5 Acceptance as security for public deposits and in payment of taxes (when specifically provided for by the Secretary of the Treasury).

Treasury bills will be acceptable at maturity value to secure deposits of public moneys. The Secretary of the Treasury, in his discretion, when inviting tenders for Treasury bills, may provide that Treasury bills of any series will be acceptable at maturity value, whether at or before maturity, under such rules and regulations as he shall prescribe or approve, in payment of income and profits taxes payable under the provisions of the Internal Revenue Code. Any Treasury bills which by the terms of their issue may be accepted in payment of income and profits taxes may be surrendered to any Federal Reserve Bank or Branch, acting as fiscal agent of the United States, or to the Office of the Treasurer of the United States, Washington, fifteen days or less before the date on which the taxes become due. The Federal Reserve Bank or Branch or the Office of the Treasurer of the United States will issue receipts to the owners showing the face amount of the bills so surrendered. These receipts may be submitted in lieu of the bills on or before the specified tax payment dates to the District Director, Internal Revenue Service, with the owners' tax returns. Notes secured by Treasury bills are eligible for discount or rediscount at Federal Reserve Banks by member banks, as are notes secured by bonds and notes of the United States, under the provisions of section 13 of the Federal Reserve Act. They will be acceptable at maturity, but not before, in payment of interest or of principal on account of obligations of foreign governments held by the United States.

(R.S. 161, as amended, sec. 5, 40 Stat. 290, as amended, sec. 8(a)-(d), 50 Stat. 481, as amended; 5 U.S.C. 22, 31 U.S.C. 738a, 754)

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is found to be unnecessary with respect to this document. Nothing contained herein abridges or restricts any existing rights acquired by owners of Treasury bills.

[SEAL]

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3729; Filed, May 1, 1959; 8:48 a.m.]

SUBCHAPTER C—OFFICE OF THE TREASURER OF THE UNITED STATES

PART 359—SETTLEMENTS BY THE TREASURER OF THE UNITED STATES, IN ADVANCE OF RECLAMATION, WITH PAYEES OR SPECIAL ENDORSEES OF LOST OR STOLEN CHECKS, WHICH HAVE BEEN PAID ON FORGED ENDORSEMENTS

Settlement of Claims

Part 359, Subchapter C, Chapter II, Subtitle B, Title 31, of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 678, dated January 23, 1942, as amended), is hereby amended by revising § 359.2 to read as follows:

§ 359.2 Settlement of claim.

The Treasurer of the United States upon receipt of an appropriate claim is authorized to make a settlement in favor of a payee or a special endorsee and to issue a check to him, when in the judgment of the Treasurer the facts in the case establish:

(a) That the check has been lost or stolen without the fault of the payee or special endorsee.

(b) That the check has thereafter been negotiated and paid by the Treasurer on a forged endorsement of the payee's or special endorsee's name.

(c) That the payee or special endorsee has not participated either directly or indirectly in the proceeds of such negotiation or payment.

(d) That reclamation has been or may be delayed more than ten days, or be unsuccessful.

(Sec. 4, 55 Stat. 778; 31 U.S.C. 564)

Dated: April 28, 1959.

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3733; Filed, May 1, 1959; 8:48 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 45—CITY DELIVERY

Change in Location of Name Plates on Apartment House Receptacles

Notice of proposed amendment to § 45.6 *Apartment house receptacles*, was published in the FEDERAL REGISTER of March 20, 1959, on page 2203, as Federal Register document 59-2389. The amendment proposed that each apartment house mail receptacle must have a holder or clasp large enough to accommodate a name card at least ¾ x 2½ inches on the framework above each receptacle. As this applies only to new installations, no change will be required in receptacles already installed.

No comments have been received by the Department with respect to the proposed amendment.

Accordingly, the amendment is adopted without change. As adopted, the

amendment to § 45.6 shall read as follows:

In § 45.6, *Apartment house receptacles*, amend subdivision (ii) of paragraph (b) (6) to read as follows:

(ii) A clasp or holder large enough to accommodate a name card at least $\frac{3}{4}$ x $2\frac{1}{2}$ inches must be provided on the framework above each receptacle.

NOTE: The corresponding Postal Manual section is 155.626b.

(R.S. 161, as amended, 396, as amended, 3868, sec. 1, 24 Stat. 355, 24 Stat. 569, as amended; 5 U.S.C. 22, 369, 39 U.S.C. 151, 155, 156)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 59-3736; Filed, May 1, 1959;
8:49 a.m.]

PART 45—CITY DELIVERY

Apartment House Receptacles

Regulations of the Post Office Department are amended as follows:

In § 45.6 *Apartment house receptacles*, make the following changes:

A. In paragraph (d) make the following changes:

1. Amend subparagraph (2) to read as follows:

(2) Carriers will report on Form 3521, "Carrier's Report on Condition of House Numbers and Mail Receptacles," all apartment houses that are being remodeled and all mail boxes that are not locked or are out of repair. Delivering employees and postmasters will see that inside letter-box arrow locks are properly accounted for when buildings are torn down or remodeled and that such defective locks are recovered.

NOTE: The corresponding Postal Manual section is 155.642.

2. Amend subparagraph (4) to read as follows:

(4) Failure to keep boxes locked or in proper repair as directed by postmasters is sufficient justification for withholding delivery of mail therein and requiring the occupants of the apartments to call for their mail at the post office or carrier delivery unit serving the area if this action is believed advisable for safety reasons. When such action is contemplated, a reasonable notice of approximately 30 days will be given in writing to the patrons and the owner or manager of the apartment building.

NOTE: The corresponding Postal Manual section is 155.644.

B. In paragraph (e) make the following changes:

1. Strike out, "Bommer Springs Hinge Co., Inc., 251-271 Classon Avenue, Brooklyn 5, N.Y. (Keilson)" and insert in lieu thereof the following: "Bommer Spring Hinge Co., Inc., Landrum, S.C. (Keilson)."

2. Insert, "Jensen Industries, 159 South Anderson Street, Los Angeles 33, Calif.", in proper alphabetical order.

NOTE: The corresponding Postal Manual section is 155.65.

(R.S. 161, as amended, 396, as amended, sec. 1, 24 Stat. 355, sec. 1, 24 Stat. 569, as amended, 36 Stat. 911; 5 U.S.C. 22, 369, 39 U.S.C. 151, 152, 156)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 59-3737; Filed, May 1, 1959;
8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1838]

[31161]

ALASKA

Amending Public Land Order No. 1812 of February 27, 1959

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Public Land Order No. 1812 of February 27, 1959, which partially revoked Public Land Order No. 553 of February 7, 1949, is hereby amended to the extent necessary to describe the lands in the $E\frac{1}{2}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ in the third line of the land description under T. 7 S., R. 8 W., as being a part of section 8 of said township and range. The order appears in the March 5th issue of the FEDERAL REGISTER at pages 1652-1653.

ROGER ERNST,
Assistant Secretary of the Interior.

APRIL 28, 1959.

[F.R. Doc. 59-3721; Filed, May 1, 1959;
8:46 a.m.]

[Public Land Order 1839]

[Colorado 022298]

COLORADO

Withdrawing Public Lands in the Roosevelt National Forest for Use of the Forest Service as Picnic Ground, Recreation Area, and Roadside Zones

By virtue of the authority vested in the President by the Act of June 4, 1897 (30 Stat. 34, 36, 16 U.S.C. 473), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Roosevelt National Forest in Colorado are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral-leasing laws, nor the disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Forest Service, Department of Agriculture, for a picnic ground, a recreation area, and roadside zones as indicated:

SIXTH PRINCIPAL MERIDIAN

ROOSEVELT NATIONAL FOREST

Kelly Flats Recreation Area

T. 8 N., R. 72 W.,
Sec. 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 230 acres.

Glen Haven Picnic Ground

T. 6 N., R. 72 W.,
Sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
The area described contains 20 acres.
Road No. 1631 (Buckhorn Road), Roadside
Zone

A strip of land 200 feet on each side of the center line of Forest Development Road No. 1631 and beginning at the center line of Colorado State Highway 14, at the junction of Highway 14 and the Buckhorn Road (Forest Development Road No. 1631) and extending through the following legal subdivisions, until the road reaches patented land that occupies S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13 and S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, T. 8 N., R. 73 W.:

T. 8 N., R. 72 W.,
Sec. 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 8, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 7, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 8 N., R. 73 W.,
Sec. 13, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$
SE $\frac{1}{4}$.

The areas described aggregate approximately 221.4 acres.

Road No. 1639 (Crown Point Road) Roadside Zone

A strip of land 200 feet on each side of the center line of the Crown Point Road beginning on the north boundary of patented land which lies in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 14, T. 8 N., R. 73 W.:

T. 8 N., R. 73 W.,
Sec. 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Here the Crown Point Road enters patented land that occupies NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T. 8 N., R. 73 W.

Beginning again on the north boundary of patented land which occupies NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T. 8 N., R. 73 W., thence in

T. 8 N., R. 73 W.,
Sec. 15, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$
NW $\frac{1}{4}$;
Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$
NW $\frac{1}{4}$;
Sec. 18, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

T. 8 N., R. 74 W.,
Sec. 21, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 22, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate approximately 507.2 acres.

The areas described in this order total, in the aggregate, approximately 978.6 acres.

This order shall be subject to existing withdrawals for power purposes so far as they affect any of the lands, and shall

take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

ROGER ERNST,
Assistant Secretary of the Interior.

APRIL 28, 1959.

[F.R. Doc. 59-3722; Filed, May 1, 1959;
8:47 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[346.11]

[19 CFR Part 31]

CUSTOMHOUSE BROKERS

Notice of Proposed Rule Making

Section 31.10(c) of the customs regulations provides in part that no customhouse broker shall knowingly and directly or indirectly employ, or accept assistance to effect a customs transaction, from any person whose application for a license as a customhouse broker shall at any time have been denied for a cause involving moral turpitude.

It is believed that the above prohibition should be eliminated in view of the provisions of § 31.8(d) of the customs regulations which impose on a customhouse broker strict responsibility for the acts or omissions of his employees. Accordingly, notice is hereby given that pursuant to authority contained in sections 161 and 251 of the Revised Statutes, and sections 624 and 641 of the Tariff Act of 1930, as amended (5 U.S.C. 22, 19 U.S.C. 66, 1624, 1641), in order to accomplish this purpose it is proposed to amend the customs regulations as set forth in tentative form below:

Section 31.10(c) is amended to read:

(c) No customhouse broker shall knowingly and directly or indirectly (1) accept employment to effect a customs transaction as associate, correspondent, officer, employee, agent, or subagent from any person whose license as a customhouse broker shall have been revoked for any cause, or whose license is under suspension, or who is notoriously disreputable, or (2) assist the furtherance of any customs business or transaction of such person, or (3) employ, or accept such assistance from, any such person, or (4) share fees with any such person, or (5) permit any such person directly or indirectly to participate, whether through ownership or otherwise, in the promotion, control, or direction of the business of the broker: Provided, That nothing herein shall be deemed to prohibit any customhouse broker from acting as a customhouse broker for any bona fide importer or exporter, notwithstanding such importer or exporter may have

No. 86—2

had his license as a customhouse broker revoked or suspended, or may be disreputable.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). Prior to the issuance of the proposed amendment, consideration will be given to any relevant data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington 25, D.C., and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL]

RALPH KELLY,
Commissioner of Customs.

Approved: April 24, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3731; Filed, May 1, 1959;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 904, 934]

[Docket Nos. AO-14-A29, AO-83-A25]

MILK IN GREATER BOSTON AND MERRIMACK VALLEY, MASS., MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Market- ing Agreements and Orders

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a joint public hearing to be held in Shawsheen Manor, Main Street, Shawsheen Village, Massachusetts, beginning at 10:00 a.m., e.d.t., on May 19, 1959, with respect to proposed amendments to the tentative marketing agreements and to the orders, as now in effect, regulating the handling of milk in the Greater Boston and Merrimack Valley, Massachusetts, marketing areas.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements and to the orders.

Proposal No. 1, to redesignate the Greater Boston, Massachusetts, marketing area to include, in addition to the territory now included, the Merrimack Valley, Massachusetts, marketing area, contemplates termination of all provisions of Order No. 34 with a merger of the administrative funds and producer-settlement funds of the present orders upon the adoption of such redesignation. This proposal raises the issue as to

whether the present provisions of Order No. 4, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, would tend to effectuate the declared policy of the Act if applied to the marketing area, as proposed to be redesignated, and if not, what modifications of the provisions of the order, in effect, are appropriate to effectuate the declared policy of the Act. Since it is contemplated that a general hearing to consider proposed amendments to the several New England orders will be held at a later date it is expected that only those matters which are essential to effect the proposed merger will be a consideration at this hearing.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by New England Milk Producers Association:

Proposal No. 1: Amend § 904.1(b) by adding all of the cities and towns which are presently included in the Merrimack Valley marketing area.

Proposal No. 2: Amend the pooling provisions as set forth in § 904.20 and § 904.21 to provide automatic pool plant status to a receiving plant located in the marketing area and operated by an association of producers.

Proposal No. 3: Amend the schedule of zone price differentials as set forth in § 904.42(c) to provide for a Class II price differential of 5.8 cents per hundred-weight at city plants.

Proposal No. 4: Amend the schedule of zone price differential as set forth in § 904.42(c) to provide for Class I and blended price differential of 37 cents, and a Class II price differential of 4 cents, applicable to plants located at a distance of 41 to 60 miles from Boston.

Proposal No. 5: Amend the definition of areas to which farm location differentials apply, as set forth in § 904.64, so that the 46-cents differential shall apply to producers whose farms are located within 40 miles of the State House in Boston or the City Hall in Lawrence.

Proposal No. 6: Delete references to the Merrimack Valley market or order wherever they occur in the several provisions of the order.

Proposed by the Dairy Division, Agricultural Marketing Service:

Proposal No. 7: Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendment thereto which may result from this hearing.

Copies of this notice of hearing and the orders, now in effect, may be procured from the Market Administrator, 230 Congress Street, Room 403, Boston 10, Massachusetts; P.O. Box 192, Andover, Massachusetts, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 29th day of April 1959.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 59-3753; Filed, May 1, 1959;
8:50 a.m.]

17 CFR Part 1021.1

TOMATOES GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Rules and Regulations

Notice is hereby given that the Secretary of Agriculture is considering the approval of the rules and regulations, hereinafter set forth, which were recommended by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 121 (7 CFR Part 1021; 24 F.R. 2425), regulating the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley), issued under the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 10 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

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AUTHORITY: §§ 1021.100 to 1021.135 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

GENERAL

§ 1021.100 Communications.

Unless otherwise provided in this part, or by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection with the marketing order shall be addressed to the Texas Valley Tomato Committee at its principal office.

DEFINITIONS

§ 1021.110 Order.

"Order" means Marketing Order No. 121 (§§ 1021.1 to 1021.92; 24 F.R. 2425) regulating the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley).

§ 1021.111 Terms.

Terms used in this subpart shall have the same meaning as when used in this part.

§ 1021.112 Registered handler.

(a) For purposes of this part, any person who operates an established tomato packing house within the production area, with facilities for grading and packing tomatoes for market, and who customarily buys tomatoes from producers for grading, packing, and marketing, may be listed by the committee as a registered handler; (b) any other person who desires to be listed as a registered handler may make application for registration on forms furnished by the committee. If the applicant has facilities available to him that are determined by the committee to be adequate for grading and packing tomatoes for market and he assumes responsibility for inspection of tomatoes handled by him, and for assessments thereon, he shall be listed by the committee as a registered handler; (c) if it is determined from the available information that the applicant is not entitled to be registered with the committee, he shall be so informed by written notice stating the reason for denial of his application; (d) any registration of a handler pursuant to this section may be canceled by the committee under circumstances which would have justified denial of his application. Any handler whose registration has been canceled shall be so informed by written notice thereof stating the reason therefor. The committee shall also notify producers of each such cancellation of handler registration through committee bulletins or published notice in local newspapers of general distribution, or both.

§ 1021.113 Registered repacker.

For purposes of this part, any handler may qualify as a registered repacker by furnishing evidence to the committee that his repacking plant (a) is located within the production area; (b) is equipped with ripening rooms, including mechanical equipment for properly maturing tomatoes; and (c) is regularly engaged in repacking tomatoes for market. If the applicant meets the foregoing qualifications and agrees to provide from time to time, as requested by the committee, evidence, either in the form of reports or upon inspection by committee representatives, that tomatoes grown in the production area and repacked by him were repacked from tomatoes which had previously been inspected and certified as meeting regulations issued under § 1021.52, he shall be listed by the committee as a registered repacker.

SAFEGUARDS

§ 1021.120 Policy.

Whenever shipments of tomatoes for special purposes pursuant to § 1021.54 are relieved in whole or in part from grade and size regulations issued under § 1021.52 the committee may require information and evidence as to the manner, methods, and timing of such shipments as safeguards against the entry of any such tomatoes into trade channels other than those for which intended. Such information and evidence may include the requirements set forth below with respect to Certificates of Privilege.

§ 1021.121 Qualification.

Before handling tomatoes for special purposes which do not meet regulations issued pursuant to § 1021.52, a handler must qualify with the committee to handle shipments for special purposes. To qualify he must (a) apply for and receive a Certificate of Privilege indicating his intent to so handle tomatoes; (b) agree to comply with reporting and other requirements set forth in §§ 1021.121 to 1021.125, inclusive, with respect to such shipments; and (c) receive approval of the committee, or its duly authorized agents, to so handle tomatoes. Such approval will be based upon evidence furnished in his application for a Certificate of Privilege, and other information available to the committee.

§ 1021.122 Application.

Applications for Certificates of Privilege shall be made on forms furnished by the committee. Each application may contain, but need not be limited to, the name and address of the handler; the quantity by grade; size, quality and variety of the tomatoes to be shipped; the mode of transportation; the consignee; the destination; the purpose for which the tomatoes are to be used; and any other appropriate information or documents deemed necessary by the committee or its duly authorized agents for the purposes stated in § 1021.120.

§ 1021.123 Approval.

The committee or its duly authorized agents shall give prompt consideration to each application for a Certificate of Privilege. Approval of an application, based upon a determination as to whether the information contained therein supports approval shall be evidenced by the issuance of a Certificate of Privilege to the applicant named therein for a specified period of time during which, upon the basis of the committee action, the applicant may ship a specified quality and quantity of tomatoes to the designated receiver for the purpose declared.

§ 1021.124 Reports.

Each handler handling Certificates of Privilege shipments of tomatoes shall supply the committee with reports as requested by the committee or its duly authorized agents showing the name and address of the shipper; the car or truck identification; the loading point; destination; consignee; the inspection certificate number when inspection is required; and any other information deemed necessary by the committee.

§ 1021.125 Disqualification.

The committee from time to time may conduct surveys of handling of tomatoes under Certificates of Privilege to determine whether handlers are complying with the requirements of this subpart. Whenever the committee finds that a handler is failing to comply with requirements set forth in the regulations applicable to special shipments and in the aforesaid sections, his Certificate or Certificates of Privilege shall be rescinded or denied. Such disqualification shall apply to, and not exceed, a reason-

able period of time as determined by the committee. Any handler who has a certificate rescinded or denied may appeal to the committee in writing for reconsideration of his disqualification.

EXEMPTION PROCEDURES

§ 1021.130 Application.

Any person applying for exemption from regulations issued pursuant to § 1021.52 shall file such application with the committee, or its duly authorized agent for such purpose, on forms furnished by the committee. Each application shall state the name and address of the applicant, the grade, size, and quality regulations from which exemption is requested; and facts demonstrating that the tomatoes, for which exemption is requested, were adversely affected by acts beyond his control or by acts beyond the applicant's reasonable expectation. Applications shall set forth such additional information as the committee may find necessary in making determinations with respect thereto, including the information required on producers' applications by paragraphs (a) and (b) of this section.

(a) The location and tomato acreage of the farm on which the tomatoes for which exemption is requested were grown, the location where such tomatoes are to be prepared for market, and the loading point from which such tomatoes are to be shipped if exemption is granted;

(b) Quantity (by grade, size, quality, and maturity) of tomatoes harvested from such acreage prior to date of application, and to be harvested subsequent to such date, during the remainder of the season or specific portion thereof (as may be determined pursuant to this part); an estimate of the portion of such tomatoes which can be handled under regulations issued pursuant to § 1021.52, during the remainder of the season; and the reason why the tomatoes which cannot be handled under such regulations do not meet the requirements of such regulations.

§ 1021.131 Investigations.

The committee may authorize investigations of applications by its employees, and such other persons as may be necessary to procure adequate information to pass upon the merits of such applications.

§ 1021.132 Issuance.

(a) The committee, or its duly authorized agents, shall give prompt consideration to all statements and facts relating to each application for exemption, and, pursuant to applicable provisions of this part, a determination shall be made as to whether or not the application is approved. The determination, if approving the application, shall be evidenced by the issuance of a certificate of exemption pursuant to § 1021.71: *Provided*, That a separate certificate may be issued, at the request of an applicant, for each affected field.

(b) The applicant shall be notified in writing if his request for exemption is denied.

(c) Each exemption certificate issued pursuant to this subpart shall be on a form duly approved by the committee and signed by an authorized representative of such committee. At least one copy of each exemption certificate issued shall be retained in the committee records. Each such certificate shall contain the name and address of the recipient, the location of all tomatoes authorized to be shipped thereunder, the quantity (by grade, size, quality and maturity) of tomatoes which will be permitted in the exempted shipments and such other information as may be deemed necessary by the committee to provide such committee, the recipient, or both, with adequate and specific information regarding such exempted tomatoes.

§ 1021.133 Disposition of certificates.

(a) Each lot of tomatoes handled under an exemption certificate shall be accompanied by such certificate, or such appropriate identifying information with respect to such certificate as the committee may require, to facilitate the administration of regulatory provisions applicable thereto.

(b) Each shipment of a lot, or portion thereof, of tomatoes covered by an exemption certificate shall be accompanied by a Federal Inspection Certificate which shall show the exemption certificate number covering the lot.

§ 1021.134 Reports.

Persons handling tomatoes under exemption certificates shall, at such time as may be specified in such certificates, report thereon to the committee the names and addresses of the receivers of such tomatoes, the quantity shipped (by grade, size, quality and maturity), the inspection certificates issued with respect thereto, the dates of such shipments, and such other information as may be requested by such committee in order to administer the regulatory provisions applicable thereto.

§ 1021.135 Appeals.

If any applicant is dissatisfied with the determination of the committee regarding an application for an exemption certificate, or any duly issued exemption certificate, an appeal by such applicant may be taken to such committee in accordance with § 1021.73.

Dated: April 29, 1959.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 59-3752; Filed, May 1, 1959;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 20]

STANDARDS FOR PROTECTION AGAINST RADIATION

Statement of Considerations

In January 1957 the Commission issued regulations in this part to establish standards for protection of licensees, their employees and the general public

against radiation hazards arising out of the possession or use of special nuclear, source or byproduct material under a license issued by AEC. These regulations, among other things, prescribe limitations which govern exposure of personnel to radiation and concentrations of radioactive material, concentrations of radioactive material which may be discharged into air or water, disposal of radioactive wastes; and limits on levels of radiation outside of restricted areas.

The standards established in the regulation were based on those published by the National Committee on Radiation Protection and measurements in Handbook 52, "Maximum Permissible Amounts of Radioisotopes in the Human Body and Maximum Permissible Concentrations in Air and Water," and Handbook 59, "Permissible Dose from External Sources of Ionizing Radiations."

As noted by the Commission in its statement published with Part 20 in the FEDERAL REGISTER (22 F.R. 548, January 29, 1957),

The National Committee on Radiation Protection has under review recommendations to limit cumulative exposures over periods of years. The Commission is giving consideration to appropriate amendments to its regulations to deal with this cumulative exposure problem.

In January 1957 the NCRPM issued a preliminary statement containing recommendations with respect to the maximum permissible accumulated dose for occupational radiation exposures, as well as for exposures for the population as a whole. These recommendations have since been revised and re-issued as an addendum to National Bureau of Standards Handbook 59, dated April 15, 1958. A complete revision by the NCRPM of National Bureau of Standards Handbook 52 on "Maximum Permissible Amounts of Radioisotopes in the Human Body and Maximum Permissible Concentrations in Air and Water" is being published in a new NBS Handbook 69. These changes were announced by the National Bureau of Standards on April 23, 1959.

The following proposed amendments are designed to bring the Commission's radiation protection standards into accord with these most recent recommendations of the NCRPM.

The reduction in limits on permissible exposure to radiation which would be accomplished by adoption of these amendments should not be interpreted as indicating that exposures at the levels previously permitted caused damage. As stated by the NCRPM:

The changes in the accumulated MPD are not the result of positive evidence of damage due to use of the earlier permissible dose levels, but rather are based on the desire to bring the MPD into accord with the trends of scientific opinion; it is recognized that there are still many uncertainties in the available data and information. Consideration has also been given to the probability of a large future increase in radiation uses. In spite of the trends, it is believed that the risk involved in delaying the activation of these recommendations is very small if not negligible. Conditions in existing installations should be modified to meet the new recommendations as soon as practicable, and the new MPD limits should be used in the design and planning of future apparatus and

installations. Because of the impact of these changes and the time required to modify existing equipment and installations, it is recommended on the basis of present knowledge that a conversion period of not more than five years from (January 1957) be adopted within which time all necessary modifications should be completed.

The new MPD standards stated above are not intended to be applied retroactively to individuals exposed under previously accepted standards.

Literal application of the new NCRP recommendations to individuals who have had prior occupational exposure to radiation requires a determination of the magnitude of previous exposures. Such a determination in many situations may be extremely and unnecessarily burdensome. Frequently, records of previous exposures will be unavailable or available only at great inconvenience and expense. In many cases previous occupational exposures to sources of ionizing radiation beyond the Commission's jurisdiction will not have been recorded. Hence, in formulating the following proposed amendments it has appeared desirable to permit continued exposure to the very low levels of radiation specified in paragraph (a) of § 20.101 without regard to previous occupational exposure. The limits established in paragraph (a) of § 20.101 would permit occupational exposure to the whole body, gonads and blood forming organs over a period of a year not exceeding one-third the annual exposure to radiation permitted under the existing requirements. This rate corresponds also to the annual permissible exposure which may be accumulated under the NCRP's recommendations. It is believed likely that a good many licensees will prefer to limit the occupational exposure of their employees to this level rather than undertake the burden and expense of determining the permissible accumulated exposure allowed their employees under these amendments.

In any case where a licensee desires to take advantage of any additional exposure (not exceeding 12 rem per year whole body exposure) permitted under the NCRP's recommendations, the licensee may do so pursuant to paragraphs (b) and (c) of § 20.101 of the proposed amendments.

One of the problems considered in connection with the proposed amendments concerns persons who for any reason might receive an exposure to radiation in excess of the established limits. Such exposures would, of course, be contrary to the Commission's regulations and might be made the subject of appropriate proceedings against the licensee by the Commission. Rigid application of the "limitations" on exposure might, in some cases, lead to unwarranted removal of the individual from employment involving exposure to radiation and consequent periods of unemployment. The proposed regulation, however, does not adopt such an approach. Under the proposed amendments, licensees will be required to notify the affected individual, as well as the Commission, of any excessive exposure to radiation. The Commission can determine in particular cases

whether the circumstances warrant the institution of formal proceedings to require a reduction of the individual's exposure to radiation beyond that which would otherwise be permitted. The regulations do require, however, that in determining the maximum permissible accumulated dose of any individual under paragraphs (b) and (c) of § 20.101, previous over-exposures be included.

The proposed amendments include a comprehensive revision of Appendix "B", "Permissible Concentrations in Air and Water Above Natural Background." The values specified in those tables are the maximum permissible concentrations to which licensees may expose persons in restricted areas, or which may be released by licensees into the environment, without specific approval from the Commission. The concentration values contained in the proposed revision of Appendix "B" are taken from the values recommended by the NCRPM being published by the National Bureau of Standards in the new Handbook 69. The principal differences between the values set forth in the proposed new tables and those contained in Appendix "B" of the regulation published in January 1957 are a reduction to one-third of the permissible concentrations of those radioisotopes having their principal effect upon the gonads or the whole body (i.e., those as to which the "whole body" or the gonads are considered to be the critical organ) and lowering of others to control the exposure to the gastrointestinal tract to 0.3 rem/week. The reductions in the values specified in Appendix "B" do not modify the basic approach in Part 20 with respect to levels of radiation and concentrations of radioactive materials in unrestricted areas. The sections which incorporate limits on radiation levels and concentrations of radioactive material in unrestricted areas are designed to assure that individuals in "unrestricted areas" do not receive exposure in excess of 10 percent of the limits established for persons exposed in restricted areas. For this purpose, the sections limit levels of radiation and concentrations of radioactive material which may be created in unrestricted areas by licensees, without special authorization from the AEC, to extremely low levels. These levels are believed to be sufficiently low to assure that there is no reasonable probability of individuals in unrestricted areas receiving exposures in excess of 10 percent of the permissible levels for restricted areas under any circumstances. Procedures are incorporated in those sections, however, under which the Commission may authorize licensees in specific cases to create higher levels in unrestricted areas where the circumstances of the particular case are such as to provide reasonable assurance that individuals in the unrestricted areas will not receive exposures in excess of 10 percent of the limitation established for restricted areas.

The proposed new Appendix "B" includes a Table III entitled, "Body Burden," which is not contained in the existing Appendix "B". This table specifies that quantity of each of the

listed radioisotopes which, when present in the body, is calculated to deliver a dose rate of not more than 0.6 rem/week to the thyroid or skin, 0.56 rem/week to the bone, 0.1 rem/week to the gonads or total body, or 0.3 rem/week to other organs of the body.

Authority is reserved to the Commission in § 20.108 to require the furnishing of appropriate bio-assay services to individuals who are suspected to have accumulated a body burden of any radioactive material in excess of 50 percent of the body burden specified in Appendix "B", Table III, and to require appropriate reduction in the exposure of any individual who may have accumulated a body burden of any radioactive materials in excess of the amount specified in Appendix "B". Routine bio-assay requirements will be incorporated in specific licenses in cases where, in light of the nature of the licensee's activities, it appears desirable to do so.

The proposed amendments do not require licensees to calculate a "combined" exposure for employees who receive occupational exposure to internal as well as external radiation. For a number of reasons the Commission has decided that it is not desirable at the present time to require calculation of such "combined" exposures. Knowledge of the relative effects of exposure to internal and external radiation, and means for calculating "combined" exposures, are not sufficiently well developed for this to be a workable procedure. In view of the controls provided in the proposed amendments, including periodic reports of exposure to external radiation and bio-assay procedures, and the relatively low levels of exposures permitted under the proposed amendments, there will be opportunity in any case where it might become appropriate for the Commission to adopt requirements applicable to particular licensees requiring the calculation of "combined" exposures. In fact, it is expected that such cases will be rare.

The proposed amendments require licensees to furnish periodic reports to employees of accumulated exposure to radiation and to furnish reports to employees of exposure to radiation and concentrations of radioactive material in excess of the limits specified in the amendments. Forms¹ are incorporated in the regulation for recording of occupational exposures and exposure histories which should be of considerable assistance to licensees in complying with the regulations and to the Commission in its enforcement program.

The proposed amendments would permit the destruction or disposal of such records only after:

- (1) December 31, 1964; or
- (2) A date five years after termination of the individual's employment, whichever is later.

The Commission recognizes that there are many problems involved in determining the appropriate period for which records of radiation exposures should be preserved. The Commission will re-examine the records disposal provisions

¹ Filed as part of the original document.

of this amendment before December 1964 to determine whether that date should be extended or what appropriate action should be taken.

Based upon present knowledge and experience it is believed that the levels established provide a high standard of safety for exposed individuals; and that exposure to radiation at levels permitted under the regulation for an indefinite period extending to a full lifetime is not likely to cause appreciable bodily injury. This is not to say, of course, that a particular individual may not be harmed by exposure to radiation below the limits established in the regulation; or that a particular individual may be injured by exposure to radiation above the limits established. Moreover, the promulgation of these limits should not be considered as a departure from the principle that unnecessary exposure to ionizing radiation should be avoided.

In publishing these proposed amendments the Commission emphasizes, as it did when Part 20 was originally issued, that the proposed "standards are subject to change with the development of new knowledge, with significant increase in the average exposure of the whole population to radiation, and with further experience in the administration of the Commission's regulatory program."

TEXT OF PROPOSED AMENDMENT

Notice is hereby given that adoption of the following amendments is under consideration. All interested persons who desire to submit written comments and suggestions relating to the following amendments should send them to the U.S. Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation, within 30 days after publication of this notice in the FEDERAL REGISTER.

Title 10, Chapter I, Part 20, Code of Federal Regulations, "Standards for Protection Against Radiation," is amended in the following respects:

§ 20.3 [Amendment]

1a. Paragraph (a) of § 20.3 is amended by renumbering subparagraphs (9), (10), (11), (12), (13), (14), and (15) to be subparagraphs (10), (11), (12), (13), (14), (15), and (16), respectively.

b. The following subparagraph is added to paragraph (a) of § 20.3:

(9) "Occupational dose" includes exposure of an individual to radiation (i) in a restricted area; or (ii) in the course of employment in which the individual's duties involve exposure to radioactive material or other sources of ionizing radiation; or (iii) in any other activity in which the individual possesses or uses radioactive material or other sources of ionizing radiation: *Provided*, That "occupational dose" shall not be deemed to include any exposure of an individual to radiation for the purpose of medical diagnosis or medical therapy of such individual.

2. The "Note" following paragraph (a) of § 20.5 is deleted.

3. Sections 20.101 to 20.105, inclusive, are repealed and the following sections added:

§ 20.101 Exposure of individuals to radiation in restricted areas.

(a) Except as provided in paragraphs (b) and (c) of this section, no licensee shall possess, use or transfer licensed material in such a manner as to cause any individual in a restricted area to receive in any period of one calendar quarter from radioactive material and other sources of radiation in the licensee's possession a dose in excess of the limits specified in the following table:

Rems. per calendar quarter

1. Skin, at basal layer of epidermis, of the hands, forearms, feet or ankles-----	18.75
2. Skin, at basal layer of epidermis, in parts of the body not described in paragraph 1-----	2.5
3. Whole body-----	1.25
Gonads-----	1.25
Active blood-forming organs-----	1.25
Head and trunk-----	1.25
Lens of the eye-----	1.25

¹ For exposures of the whole body to X or gamma rays up to 3 mev, this condition may be assumed to be met if the "air dose" does not exceed 1.25 r provided the dose to the gonads does not exceed 1.25 rem. "Air dose" means that the dose is measured by an appropriate instrument in air in the region of highest dosage rate to be occupied by an individual without the presence of the human body or other absorbing and scattering material.

(b) A licensee may permit an individual in a restricted area to receive a dose to the whole body in addition to that permitted under paragraph (a) of this section: *Provided*,

(1) During any calendar quarter, the dose to the whole body from radioactive material and other sources of radiation in the licensee's possession shall not exceed 3 rems; and

(2) The dose to the whole body, when added to the previously accumulated occupational dose to the whole body, shall not exceed the maximum permissible accumulated dose. The maximum permissible accumulated dose to the whole body shall be calculated according to the following formula:

$$MPD = 5 (N - 18) \text{ rems}$$

where MPD = The maximum permissible accumulated dose in rems.

N = The individual's age in full years.

and

(3) The licensee has determined the individual's previously accumulated occupational dose to the whole body on AEC Form 20-1, or on a form substantially similar to and containing all the information required in that form; and has otherwise complied with the requirements of § 20.102.

As used in this paragraph (b), "dose to the whole body" shall be deemed to include any dose to the whole body, gonads, active blood-forming organs, head and trunk, or lens of the eye.

(c) In addition to that permitted under paragraph (a) of this section, a licensee may permit an individual in a restricted area to receive a dose to the skin of the whole body, at the basal layer of epidermis: *Provided*,

(1) During any calendar quarter the dose to the skin of the whole body from

radioactive material and other sources of radiation in the licensee's possession shall not exceed 6 rems;

(2) The dose to the skin of the whole body when added to the previously accumulated occupational dose to the skin of the whole body shall not exceed the maximum permissible accumulated dose to that part of the body. The maximum permissible accumulated dose to the skin of the whole body shall be calculated according to the following formula:

$$MPD = 10 (N - 18) \text{ rems}$$

MPD = The maximum permissible accumulated dose in rems.

N = The individual's age in full years.

and

(3) The licensee has determined the individual's previously accumulated occupational dose to the skin of the whole body on AEC Form 20-1, or on a form substantially similar to and containing all the information required in that form; and has otherwise complied with the requirements of § 20.102.

As used in this paragraph (c), "skin of the whole body" means the skin of any part of the body other than the hands, forearms, feet or ankles.

(d) As used in this section "calendar quarter" means any of the following periods: January 1 to March 31, inclusive; April 1 to June 30, inclusive; July 1 to September 30, inclusive; and October 1 to December 31, inclusive.

§ 20.102 Determination of maximum permissible accumulated dose.

(a) This section contains requirements which must be satisfied by licensees who propose, pursuant to paragraph (b) or (c) of § 20.101, to permit individuals in a restricted area to receive exposure to radiation in excess of the limits specified in paragraph (a) of § 20.101.

(b) Before permitting any individual in a restricted area to receive exposure to radiation in excess of the limits specified in § 20.101(a), each licensee shall:

(1) Obtain a certificate signed by the individual showing each period of time, after the individual attained the age of 18 years, in which the individual received an occupational dose of radiation; and

(2) Calculate on AEC Form 20-1 in accordance with the instructions appearing therein, or on a form substantially similar to and containing all the information required in that form, the previously accumulated occupational dose received by the individual and the additional permissible dose allowed for that individual under § 20.101 (b) or (c).

(c) (1) In the preparation of AEC Form 20-1, or a form substantially similar to and containing all the information required in that form, it shall be assumed that the individual has received the occupational dose specified in the following table for each calendar quarter or fraction thereof in which the individual received an occupational dose, unless the licensee obtains appropriate records or copies of records showing the individual's occupational dose for the calendar quarter in question. For any calendar quarter for which the licensee has obtained such records, the

licensee may use the dose shown in such records in lieu of the dose specified in the following table.

Part of body	Assumed exposure in rems
Whole body	3.0
Gonads	3.0
Active blood-forming organs	3.0
Head and trunk	3.0
Lens of the eye	3.0
Skin of whole body	6.0

(2) The licensee shall retain and preserve copies of work sheets and records used in preparing AEC Form 20-1 or other forms completed in order to comply with the requirements of this section.

If calculation of the individual's occupational dose for periods prior to the effective date of this section yields a result higher than the applicable maximum permissible accumulated dose for the individual as of that date, as specified in paragraphs (b) and (c) of § 20.101, the excess may be disregarded.

§ 20.103 Exposure of individuals to concentrations of radioactive material in restricted areas.

(a) No licensee shall possess, use or transfer licensed material in such a manner as to cause any individual in a restricted area to inhale, ingest or absorb airborne radioactive material possessed by the licensee in an average concentration in excess of the limits specified in Appendix "B", Table I, of this part; or to ingest or absorb radioactive material possessed by the licensee in an average concentration in water in excess of the limits specified in Appendix "B", Table I, of this part.

(b) The limits given in Appendix "B", Table I, of this part, are based upon exposure to the concentrations specified for forty hours in any period of seven consecutive days. In any such period where the number of hours of exposure is less than forty, the limits specified in the table may be increased proportionately. In any such period where the number of hours of exposure is greater than forty, the limits specified in the table shall be decreased proportionately.

§ 20.104 Exposure of minors.

(a) No licensee shall possess, use or transfer licensed material in such a manner as to cause any individual under 18 years of age within a restricted area to receive in any period of one calendar quarter (as defined in § 20.101) from radioactive material and other sources of radiation in the licensee's possession a dose in excess of 10 percent of the limits specified in the table in paragraph (a) of § 20.101.

(b) No licensee shall possess, use or transfer licensed material in such a manner as to cause any individual under 18 years of age within a restricted area to inhale, ingest or absorb airborne radioactive material possessed by the licensee in an average concentration in excess of the limits specified in Appendix "B", Table II of this part; or to ingest or absorb radioactive material possessed by the licensee in an average concentration in water in excess of the limits specified in Appendix "B", Table II of this part. For purposes of this paragraph, concen-

trations may be averaged over periods not greater than a week.

§ 20.105 Permissible levels of radiation in unrestricted areas.

(a) There may be included in any application for a license or for amendment of a license proposed limits upon levels of radiation in unrestricted areas resulting from the applicant's possession or use of radioactive material and other sources of radiation. Such applications should include information as to anticipated average radiation levels and anticipated occupancy times for each unrestricted area involved. The Commission will approve the proposed limits if the applicant demonstrates that the proposed limits are not likely to cause any individual to receive a dose in any period of one calendar quarter (as defined in § 20.101) in excess of 10 percent of the limits specified in the table in paragraph (a) of § 20.101.

(b) Except as authorized by the Commission pursuant to paragraph (a) of this section, no licensee shall possess, use or transfer licensed material in such a manner as to create in any unrestricted area from radioactive material and other sources of radiation in his possession:

(1) Radiation levels which, if an individual were continuously present in the area, could result in his receiving a dose in excess of two millirems in any one hour, or

(2) Radiation levels which, if an individual were continuously present in the area, could result in his receiving a dose in excess of 100 millirems in any seven consecutive days.

§ 20.106 Concentrations in effluents to unrestricted areas.

(a) There may be included in any application for a license or for amendment of a license proposed limits upon concentrations of licensed and other radioactive material released into air or water in unrestricted areas as a result of the applicant's proposed activities. Such applications should include information as to anticipated average concentrations and anticipated occupancy times for each unrestricted area involved. The Commission will approve the proposed limits if the applicant demonstrates that it is not likely that any individual will be exposed to concentrations in excess of the limits specified in Appendix "B", Table II, of this part. For purposes of this paragraph, concentrations may be averaged over periods not greater than one year.

(b) Except as authorized by the Commission pursuant to § 20.302 or paragraph (a) of this section, no licensee shall possess, use or transfer licensed material in such a manner as to release into air or water in any unrestricted area any concentration of radioactive material in excess of the limits specified in Appendix "B", Table II of this part. For purposes of this paragraph, concentrations may be averaged over periods not greater than one year.

(c) For purposes of this section, determinations as to the concentration of radioactive material shall be made with respect to the point where such material leaves the restricted area. Where the

radioactive material leaves the restricted area in a stack, tube, pipe, or similar conduit, the determination may be made with respect to the point where the material leaves such conduit.

(d) The provisions of this section do not apply to disposal of radioactive material into sanitary sewerage systems (see § 20.303).

§ 20.107 Medical diagnosis, therapy, and research.

Nothing in the regulations in this part shall be interpreted as limiting the intentional exposure of patients to radiation for the purpose of medical diagnosis or medical therapy.

§ 20.108 Orders requiring furnishing of bio-assay services; reduced exposure limits.

(a) In any case where it appears that an individual in a restricted area may have received a dose or may have been exposed to concentrations of radioactive material in excess of the permissible limits established in §§ 20.101 to 20.106, inclusive, or may have accumulated a body burden of any radioactive material in excess of fifty percent of the quantity specified in Appendix "B", Table III, from licensed and other radioactive material in the licensee's possession, the Commission may issue appropriate orders directing the licensee to make available to the individual appropriate bio-assay services and to furnish a copy of the reports of such services to the Commission.

(b) The Commission may issue appropriate orders to any licensee directing the licensee to reduce further exposure of any individual in a restricted area below the limits otherwise permitted under this part or prohibiting the licensee from permitting further exposure of any individual in a restricted area to radiation or concentrations of radioactive material, upon finding (1) that such action is necessary or desirable to protect health or minimize danger to life or (2) that the individual has accumulated a total body burden of any radioactive material exceeding the quantity specified in Appendix "B", Table III.

§ 20.202 [Amendment]

4a. Paragraph (a) of § 20.202 is amended to read as follows:

(a) Each licensee shall supply appropriate personnel monitoring equipment to, and shall require the use of such equipment by:

(1) Each individual who enters a restricted area under such circumstances that he receives, or is likely to receive, a dose in excess of 50 millirem in any period of 7 consecutive days;

(2) Each individual under 18 years of age who enters a radiation area; and

(3) Each individual who enters a high radiation area.

b. Paragraph (b) (2) of § 20.202 is amended by substituting "100 millirem" for "150 millirem".

§ 20.203 [Amendment]

5. "Column 2" is changed to "Column 1" in paragraphs (b) and (c) of § 20.303.

§ 20.401 [Amendment]

6a. Paragraph (a) of § 20.401 is amended to read as follows:

(a) Each licensee shall maintain records showing the radiation exposures of all individuals for whom personnel monitoring is required under § 20.202 of the regulations in this part. Such records shall be kept on AEC Forms 20-2, 20-3, or 20-4, whichever may be applicable, in accordance with the instructions contained in those forms, or on forms substantially similar to and containing all the information required by those forms. The doses entered on the forms shall be for periods of time not exceeding one month.

b. The following new paragraph is added to § 20.401:

(c) Records of individual radiation exposure which must be maintained pursuant to the provisions of this subsection shall be preserved until December 31, 1964 or until a date five years after termination of the individual's employment, whichever is later. Records which must be maintained pursuant to this part may be maintained in the form of microfilms.

c. Paragraph (b) of § 20.401 is deleted.

d. Paragraph (c) of § 20.401 is renumbered as (b) of that section.

§ 20.403 [Amendment]

7. The following paragraph is added to § 20.403:

(d) *Reports to affected individuals.* In any case where a licensee is required pursuant to the provisions of this section to report to the Commission any exposure or possible exposure of an individual to radiation or to radioactive material, the licensee shall also notify such individual of the nature and extent of the exposure or possible exposure; and the period of time involved. Such notice shall be in writing and shall contain the following statement in conspicuous letters;

This notice to you is required by the Atomic Energy Commission regulations entitled "Standards for Protection Against Radiation" (10 CFR Part 20). You should preserve this notice with your important papers.

The notice shall be delivered to the individual personally and receipt obtained or shall be delivered by certified mail or registered mail.

8. The following new section is added:

§ 20.404 Notice to individuals of exposure to radiation.

Each licensee shall periodically notify each individual for whom personnel monitoring is required by § 20.202 as to the individual's accumulated dose as indicated by the personnel monitoring procedures and records maintained by the licensee pursuant to § 20.102. Such notice shall:

(a) Be in writing and contain the following statement:

This notice to you is required by the Atomic Energy Commission regulations entitled "Standards for Protection Against Radiation" (10 CFR Part 20). You should preserve this notice with your important papers.

(b) Be furnished to the individual at least annually and within 90 days after the end of the period of time covered by the notice or within 90 days after the termination of employment;

(c) Cover all complete calendar quarters since the last previous notice furnished to the individual pursuant to this section. If no previous notification has been furnished to the individual pursuant to this section, the notice shall cover all periods of exposure after January 1, 1960;

(d) Be delivered to the individual personally and receipt obtained or be delivered by certified or registered mail. Information is not required to be included in the notice with respect to any calendar quarter in which the individual's dose is less than 125 millirem. Each licensee shall maintain in his files copies of all notices furnished to individuals pursuant to this section.

9. Appendix "A" is deleted.

10. Appendix "B" is amended to read as follows:

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND

Element (atomic number)	Isotope ¹	Table I		Table II		Table III (body content)
		Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	
Actinium (89)-----	Ac 227	S	6×10 ⁻³	2×10 ⁻¹²	2×10 ⁻⁴	8×10 ⁻¹⁴
	I		9×10 ⁻³	3×10 ⁻¹¹	3×10 ⁻⁴	9×10 ⁻¹³
Americium (95)-----	Ac 228	S	3×10 ⁻³	3×10 ⁻¹¹	9×10 ⁻⁴	3×10 ⁻⁹
	I		3×10 ⁻³	2×10 ⁻¹¹	9×10 ⁻⁴	6×10 ⁻¹⁰
Antimony (51)-----	Am 241	S	1×10 ⁻⁴	6×10 ⁻¹²	4×10 ⁻⁴	2×10 ⁻¹³
	I		8×10 ⁻⁴	1×10 ⁻¹⁰	3×10 ⁻⁴	4×10 ⁻¹²
Argon ² (18)-----	Am 243	S	1×10 ⁻⁴	6×10 ⁻¹²	4×10 ⁻⁴	2×10 ⁻¹³
	I		8×10 ⁻⁴	1×10 ⁻¹⁰	3×10 ⁻⁴	4×10 ⁻¹²
Arsenic (33)-----	Sb 122	S	8×10 ⁻⁴	2×10 ⁻⁷	3×10 ⁻⁴	6×10 ⁻⁹
	I		8×10 ⁻⁴	1×10 ⁻⁷	3×10 ⁻⁴	5×10 ⁻⁹
Barium (56)-----	Sb 124	S	7×10 ⁻⁴	2×10 ⁻⁷	2×10 ⁻⁴	5×10 ⁻⁹
	I		7×10 ⁻⁴	2×10 ⁻⁷	2×10 ⁻⁴	7×10 ⁻¹⁰
Berkelium (97)-----	Sb 125	S	3×10 ⁻³	5×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻⁸
	I		3×10 ⁻³	3×10 ⁻⁷	1×10 ⁻⁴	9×10 ⁻¹⁰
Beryllium (4)-----	Argon ² (18)	Sub	6×10 ⁻²	2×10 ⁻⁴	1×10 ⁻⁴	1×10 ⁻⁴
	A 41	Sub	2×10 ⁻⁴	2×10 ⁻⁴	4×10 ⁻⁴	4×10 ⁻⁴
Bismuth (83)-----	As 73	S	1×10 ⁻²	5×10 ⁻⁴	5×10 ⁻⁴	3×10 ⁻⁸
	I		1×10 ⁻²	4×10 ⁻⁷	5×10 ⁻⁴	1×10 ⁻⁸
Bromine (35)-----	As 74	S	2×10 ⁻³	3×10 ⁻⁷	5×10 ⁻⁴	1×10 ⁻⁸
	I		2×10 ⁻³	1×10 ⁻⁷	5×10 ⁻⁴	4×10 ⁻⁹
Calcium (20)-----	As 76	S	6×10 ⁻⁴	1×10 ⁻⁷	2×10 ⁻⁴	4×10 ⁻⁹
	I		6×10 ⁻⁴	1×10 ⁻⁷	2×10 ⁻⁴	3×10 ⁻⁹
Californium (98)-----	As 77	S	2×10 ⁻³	5×10 ⁻⁷	8×10 ⁻⁴	2×10 ⁻⁸
	I		2×10 ⁻³	4×10 ⁻⁷	8×10 ⁻⁴	1×10 ⁻⁸
Carbon (6)-----	At 211	S	5×10 ⁻³	7×10 ⁻⁹	2×10 ⁻⁴	2×10 ⁻¹⁰
	I		2×10 ⁻³	3×10 ⁻⁹	7×10 ⁻⁹	1×10 ⁻⁹
Cesium (55)-----	Ba 131	S	5×10 ⁻³	1×10 ⁻⁹	7×10 ⁻⁹	1×10 ⁻⁹
	I		5×10 ⁻³	4×10 ⁻⁹	2×10 ⁻⁹	5×10 ⁻¹⁰
Cerium (58)-----	Ba 140	S	8×10 ⁻⁴	4×10 ⁻⁹	3×10 ⁻⁹	4×10 ⁻⁹
	I		7×10 ⁻⁴	4×10 ⁻⁹	2×10 ⁻⁹	4×10 ⁻⁹
Chlorine (17)-----	Bk 249	S	2×10 ⁻²	9×10 ⁻¹⁰	6×10 ⁻⁴	3×10 ⁻¹¹
	I		2×10 ⁻²	1×10 ⁻⁹	4×10 ⁻⁴	4×10 ⁻⁹
Cobalt (27)-----	Be 7	S	5×10 ⁻²	6×10 ⁻⁴	2×10 ⁻³	2×10 ⁻⁷
	I		5×10 ⁻²	1×10 ⁻⁴	2×10 ⁻³	4×10 ⁻⁸
Copper (29)-----	Bi 206	S	1×10 ⁻³	2×10 ⁻⁷	4×10 ⁻³	6×10 ⁻⁹
	I		1×10 ⁻³	1×10 ⁻⁷	4×10 ⁻³	5×10 ⁻⁹
Curium (96)-----	Bi 207	S	2×10 ⁻³	2×10 ⁻⁷	6×10 ⁻³	6×10 ⁻⁹
	I		2×10 ⁻³	1×10 ⁻⁷	6×10 ⁻³	5×10 ⁻¹⁰
Dysprosium (63)-----	Bi 210	S	1×10 ⁻³	6×10 ⁻⁹	4×10 ⁻³	2×10 ⁻¹⁰
	I		1×10 ⁻³	6×10 ⁻⁹	4×10 ⁻³	2×10 ⁻¹⁰
Einsteinium (99)-----	Bi 212	S	1×10 ⁻²	1×10 ⁻⁷	4×10 ⁻³	3×10 ⁻⁹
	I		1×10 ⁻²	2×10 ⁻⁷	7×10 ⁻⁹	7×10 ⁻⁹
Europium (62)-----	Br 82	S	8×10 ⁻³	1×10 ⁻⁶	3×10 ⁻⁴	4×10 ⁻⁸
	I		1×10 ⁻³	2×10 ⁻⁷	4×10 ⁻⁴	6×10 ⁻⁹
Gadolinium (64)-----	Cd 109	S	5×10 ⁻³	5×10 ⁻⁸	2×10 ⁻⁴	2×10 ⁻⁹
	I		5×10 ⁻³	7×10 ⁻⁸	2×10 ⁻⁴	2×10 ⁻⁹
Gallium (31)-----	Cd 115m	S	7×10 ⁻⁴	4×10 ⁻⁸	3×10 ⁻⁴	1×10 ⁻⁹
	I		7×10 ⁻⁴	4×10 ⁻⁸	3×10 ⁻⁴	1×10 ⁻⁹
Germanium (32)-----	Cd 115	S	1×10 ⁻³	2×10 ⁻⁷	3×10 ⁻⁴	8×10 ⁻⁹
	I		1×10 ⁻³	2×10 ⁻⁷	3×10 ⁻⁴	8×10 ⁻⁹
Hafnium (72)-----	Ca 45	S	3×10 ⁻⁴	3×10 ⁻⁸	9×10 ⁻⁴	1×10 ⁻⁹
	I		5×10 ⁻⁴	1×10 ⁻⁷	2×10 ⁻⁴	4×10 ⁻⁹
Holmium (67)-----	Ca 47	S	1×10 ⁻³	2×10 ⁻⁷	5×10 ⁻⁴	6×10 ⁻⁹
	I		1×10 ⁻³	2×10 ⁻⁷	5×10 ⁻⁴	6×10 ⁻⁹
Indium (49)-----	Cf 249	S	1×10 ⁻³	2×10 ⁻¹²	3×10 ⁻⁴	5×10 ⁻¹⁴
	I		7×10 ⁻⁴	1×10 ⁻¹²	3×10 ⁻⁴	3×10 ⁻¹²
Iodine (53)-----	Cf 250	S	4×10 ⁻⁴	1×10 ⁻¹²	1×10 ⁻⁴	2×10 ⁻¹²
	I		7×10 ⁻⁴	1×10 ⁻¹⁰	3×10 ⁻⁴	3×10 ⁻¹²
Iron (26)-----	Cf 252	S	7×10 ⁻⁴	2×10 ⁻¹¹	2×10 ⁻⁴	2×10 ⁻¹¹
	I		7×10 ⁻⁴	1×10 ⁻¹⁰	2×10 ⁻⁴	4×10 ⁻¹²
Krypton (36)-----	C 14	Sub	2×10 ⁻²	4×10 ⁻⁶	8×10 ⁻⁴	1×10 ⁻⁷
	(CO ₂)			5×10 ⁻⁴	1×10 ⁻⁴	3×10 ⁻⁸
Lanthanum (57)-----	Ce 141	S	3×10 ⁻³	4×10 ⁻⁷	9×10 ⁻⁴	2×10 ⁻⁹
	I		3×10 ⁻³	2×10 ⁻⁷	9×10 ⁻⁴	5×10 ⁻⁹
Lead (82)-----	Ce 143	S	1×10 ⁻³	3×10 ⁻⁷	4×10 ⁻⁴	9×10 ⁻⁹
	I		1×10 ⁻³	2×10 ⁻⁷	4×10 ⁻⁴	7×10 ⁻⁹
Lithium (3)-----	Ce 144	S	4×10 ⁻⁴	1×10 ⁻⁷	1×10 ⁻⁴	3×10 ⁻¹⁰
	I		3×10 ⁻⁴	6×10 ⁻⁹	1×10 ⁻⁴	2×10 ⁻¹⁰
Manganese (25)-----	Cs 131	S	7×10 ⁻³	1×10 ⁻⁷	2×10 ⁻⁴	4×10 ⁻⁷
	I		3×10 ⁻³	3×10 ⁻⁴	9×10 ⁻⁴	1×10 ⁻⁷
Mercury (80)-----	Ca 134m	S	2×10 ⁻¹	4×10 ⁻³	6×10 ⁻⁴	1×10 ⁻⁴
	I		3×10 ⁻³	6×10 ⁻⁶	1×10 ⁻⁴	2×10 ⁻⁷
Molybdenum (42)-----	Cs 134	S	3×10 ⁻⁴	3×10 ⁻⁴	9×10 ⁻⁴	4×10 ⁻¹⁰
	I		1×10 ⁻³	1×10 ⁻⁸	4×10 ⁻⁴	4×10 ⁻¹⁰
Neon (10)-----	Cs 135	S	3×10 ⁻⁴	5×10 ⁻⁷	1×10 ⁻⁴	3×10 ⁻⁹
	I		7×10 ⁻³	9×10 ⁻⁷	2×10 ⁻⁴	3×10 ⁻⁹
Nickel (28)-----	Cs 136	S	2×10 ⁻³	4×10 ⁻⁷	9×10 ⁻⁴	1×10 ⁻⁸
	I		2×10 ⁻³	2×10 ⁻⁷	6×10 ⁻⁴	6×10 ⁻⁸
Nitrogen (7)-----	Cs 137	S	4×10 ⁻⁴	6×10 ⁻⁸	2×10 ⁻⁴	2×10 ⁻⁸
	I		1×10 ⁻³	1×10 ⁻⁸	4×10 ⁻⁴	5×10 ⁻¹⁰

¹ Soluble (S); Insoluble (I); Submersion in a cloud of gaseous material (Sub).

² Noble gas—Values given for submersion in a cloud of infinite cloud.

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND—Continued

Element (atomic number)	Isotope ¹	Table I		Table II		Table III (body content)
		Column 1 Water ($\mu\text{C}/\text{ml}$)	Column 2 Air ($\mu\text{C}/\text{ml}$)	Column 1 Water ($\mu\text{C}/\text{ml}$)	Column 2 Air ($\mu\text{C}/\text{ml}$)	
Indium (49)	In 113m	4×10^{-2}	8×10^{-3}	4×10^{-2}	8×10^{-3}	3×10^{-7}
	In 114m	5×10^{-2}	1×10^{-2}	5×10^{-2}	1×10^{-2}	3×10^{-7}
Iodine (53)	In 115m	6×10^{-2}	2×10^{-2}	6×10^{-2}	2×10^{-2}	3×10^{-7}
	In 115	1×10^{-2}	2×10^{-2}	1×10^{-2}	2×10^{-2}	3×10^{-7}
Iodine (53)	I 126	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-3}	1×10^{-3}
	I 129	8×10^{-3}	1×10^{-3}	8×10^{-3}	1×10^{-3}	3×10^{-7}
Iodine (53)	I 131	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	I 132	6×10^{-3}	2×10^{-3}	6×10^{-3}	2×10^{-3}	3×10^{-7}
Iodine (53)	I 133	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	I 134	1×10^{-3}	2×10^{-3}	1×10^{-3}	2×10^{-3}	3×10^{-7}
Iridium (77)	I 135	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	Ir 190	6×10^{-3}	1×10^{-3}	6×10^{-3}	1×10^{-3}	3×10^{-7}
Iron (26)	Fe 55	1×10^{-3}	1×10^{-3}	1×10^{-3}	1×10^{-3}	3×10^{-7}
	Fe 59	7×10^{-2}	1×10^{-2}	7×10^{-2}	1×10^{-2}	3×10^{-7}
Krypton (36)	Kr 85m	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	Kr 86	1×10^{-3}	1×10^{-3}	1×10^{-3}	1×10^{-3}	3×10^{-7}
Lanthanum (57)	La 140	1×10^{-3}	1×10^{-3}	1×10^{-3}	1×10^{-3}	3×10^{-7}
	Pb 203	7×10^{-2}	1×10^{-2}	7×10^{-2}	1×10^{-2}	3×10^{-7}
Lead (82)	Pb 210	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	Pb 212	6×10^{-3}	2×10^{-3}	6×10^{-3}	2×10^{-3}	3×10^{-7}
Lutetium (71)	Lu 177	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-7}
	Mn 52	9×10^{-3}	9×10^{-3}	9×10^{-3}	9×10^{-3}	3×10^{-7}
Manganese (25)	Mn 54	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-7}
	Mn 56	4×10^{-3}	4×10^{-3}	4×10^{-3}	4×10^{-3}	3×10^{-7}
Mercury (80)	Hg 197m	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-7}
	Hg 197	5×10^{-3}	5×10^{-3}	5×10^{-3}	5×10^{-3}	3×10^{-7}
Molybdenum (42)	Mo 99	1×10^{-3}	1×10^{-3}	1×10^{-3}	1×10^{-3}	3×10^{-7}
	Nd 144	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
Neodymium (60)	Nd 147	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	Nd 149	8×10^{-3}	8×10^{-3}	8×10^{-3}	8×10^{-3}	3×10^{-7}

² Noble gas—Values given for submersion in an infinite cloud.

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND—Continued

Element (atomic number)	Isotope ¹	Table I		Table II		Table III (body content)
		Column 1 Water ($\mu\text{C}/\text{ml}$)	Column 2 Air ($\mu\text{C}/\text{ml}$)	Column 1 Water ($\mu\text{C}/\text{ml}$)	Column 2 Air ($\mu\text{C}/\text{ml}$)	
Chlorine (17)	Cl 36	2×10^{-3}	4×10^{-3}	8×10^{-3}	1×10^{-3}	8×10^{-7}
	Cl 38	2×10^{-3}	2×10^{-3}	6×10^{-3}	5×10^{-3}	9×10^{-7}
Chromium (24)	Cr 51	1×10^{-2}	3×10^{-2}	4×10^{-2}	7×10^{-2}	8×10^{-7}
	Cr 57	6×10^{-2}	1×10^{-2}	2×10^{-2}	4×10^{-2}	2×10^{-7}
Cobalt (27)	Co 58m	2×10^{-2}	3×10^{-2}	6×10^{-2}	1×10^{-2}	2×10^{-7}
	Co 58	8×10^{-2}	2×10^{-2}	3×10^{-2}	3×10^{-2}	2×10^{-7}
Copper (29)	Cu 64	3×10^{-3}	8×10^{-3}	1×10^{-3}	2×10^{-3}	3×10^{-7}
	Cu 66	1×10^{-3}	3×10^{-3}	5×10^{-3}	1×10^{-3}	1×10^{-7}
Curium (96)	Cm 242	1×10^{-2}	2×10^{-2}	3×10^{-2}	7×10^{-2}	1×10^{-7}
	Cm 243	6×10^{-2}	1×10^{-2}	2×10^{-2}	4×10^{-2}	5×10^{-7}
Dysprosium (69)	Dy 165	7×10^{-4}	1×10^{-4}	2×10^{-4}	2×10^{-4}	9×10^{-7}
	Dy 166	1×10^{-3}	1×10^{-3}	3×10^{-3}	3×10^{-3}	1×10^{-7}
Erbium (68)	Er 167	1×10^{-3}	1×10^{-3}	3×10^{-3}	3×10^{-3}	3×10^{-7}
	Er 171	3×10^{-3}	7×10^{-3}	9×10^{-3}	1×10^{-3}	3×10^{-7}
Europium (63)	Eu 152	2×10^{-3}	3×10^{-3}	1×10^{-3}	2×10^{-3}	9×10^{-7}
	Eu 154	2×10^{-3}	3×10^{-3}	1×10^{-3}	2×10^{-3}	8×10^{-7}
Fluorine (9)	F 18	1×10^{-3}	1×10^{-3}	1×10^{-3}	1×10^{-3}	3×10^{-7}
	Gadolinium (64)	6×10^{-3}	6×10^{-3}	6×10^{-3}	6×10^{-3}	3×10^{-7}
Gallium (31)	Ga 72	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
	Ge 71	1×10^{-3}	1×10^{-3}	1×10^{-3}	1×10^{-3}	3×10^{-7}
Germanium (32)	Ge 76	6×10^{-3}	6×10^{-3}	6×10^{-3}	6×10^{-3}	3×10^{-7}
	Au 198	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}
Hafnium (72)	Hf 181	4×10^{-3}	4×10^{-3}	4×10^{-3}	4×10^{-3}	3×10^{-7}
	Holmium (67)	9×10^{-4}	1×10^{-4}	3×10^{-4}	3×10^{-4}	1×10^{-7}
Hydrogen (1)	H 3	1×10^{-1}	2×10^{-1}	3×10^{-1}	4×10^{-1}	3×10^{-3}
	Sub	2×10^{-3}	2×10^{-3}	2×10^{-3}	2×10^{-3}	3×10^{-7}

¹ Soluble (S); Insoluble (I); Submersion in a cloud of gaseous material (Sub).

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND—Continued

Element (atomic number)	Isotope ¹	Table I		Table II		Table III (body content)
		Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	
Neptunium (93).....	Np 237	9×10 ⁻⁴	4×10 ⁻¹⁰	3×10 ⁻⁴	1×10 ⁻¹²	6×10 ⁻²
	Np 239	9×10 ⁻⁴	1×10 ⁻¹⁰	3×10 ⁻⁴	4×10 ⁻¹²	3×10 ⁻²
Nickel (28).....	Ni 60	4×10 ⁻³	7×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻¹⁰	1×10 ⁻¹
	Ni 63	6×10 ⁻³	8×10 ⁻⁷	2×10 ⁻⁴	3×10 ⁻¹⁰	2×10 ⁻¹
	Ni 64	8×10 ⁻³	6×10 ⁻⁷	3×10 ⁻⁴	2×10 ⁻¹⁰	4×10 ⁻²
	Ni 66	4×10 ⁻³	9×10 ⁻⁷	1×10 ⁻⁴	3×10 ⁻¹⁰	4×10 ⁻²
Niobium (Columbium) (41).....	Nb 93m	3×10 ⁻³	5×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻¹⁰	2×10 ⁻¹
	Nb 95	1×10 ⁻²	1×10 ⁻⁷	4×10 ⁻⁴	4×10 ⁻¹⁰	4×10 ⁻¹
	Nb 96	3×10 ⁻³	5×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻¹⁰	1×10 ⁻¹
	Nb 97	3×10 ⁻³	6×10 ⁻⁷	1×10 ⁻⁴	3×10 ⁻¹⁰	1×10 ⁻¹
Osmium (76).....	Os 185	2×10 ⁻³	5×10 ⁻⁷	7×10 ⁻⁴	2×10 ⁻¹⁰	8×10 ⁻²
	Os 191m	7×10 ⁻³	2×10 ⁻⁷	5×10 ⁻⁴	3×10 ⁻¹⁰	1×10 ⁻¹
	Os 191	7×10 ⁻³	9×10 ⁻⁷	2×10 ⁻⁴	4×10 ⁻¹⁰	2×10 ⁻¹
	Os 193	5×10 ⁻³	4×10 ⁻⁷	2×10 ⁻⁴	1×10 ⁻¹⁰	1×10 ⁻¹
Palladium (46).....	Pd 103	2×10 ⁻³	1×10 ⁻⁷	3×10 ⁻⁴	6×10 ⁻¹⁰	2×10 ⁻¹
	Pd 109	3×10 ⁻³	8×10 ⁻⁷	3×10 ⁻⁴	3×10 ⁻¹⁰	7×10 ⁻²
	P 32	5×10 ⁻³	7×10 ⁻⁷	2×10 ⁻⁴	2×10 ⁻¹⁰	6×10 ⁻²
	Pt 191	4×10 ⁻³	8×10 ⁻⁷	1×10 ⁻⁴	3×10 ⁻¹⁰	1×10 ⁻¹
Phosphorus (15).....	Pt 103m	3×10 ⁻³	6×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻¹⁰	1×10 ⁻¹
	Pt 193	3×10 ⁻³	1×10 ⁻⁷	9×10 ⁻⁴	4×10 ⁻¹⁰	7×10 ⁻²
	Pt 197m	3×10 ⁻³	6×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻¹⁰	6×10 ⁻²
	Pt 197	3×10 ⁻³	8×10 ⁻⁷	1×10 ⁻⁴	3×10 ⁻¹⁰	1×10 ⁻¹
Plutonium (94).....	Pu 238	1×10 ⁻³	2×10 ⁻¹⁰	1×10 ⁻⁴	2×10 ⁻¹⁰	4×10 ⁻²
	Pu 239	1×10 ⁻³	2×10 ⁻¹⁰	1×10 ⁻⁴	3×10 ⁻¹⁰	4×10 ⁻²
	Pu 240	1×10 ⁻³	4×10 ⁻¹¹	1×10 ⁻⁴	1×10 ⁻¹⁰	4×10 ⁻²
	Pu 241	1×10 ⁻³	4×10 ⁻¹¹	1×10 ⁻⁴	1×10 ⁻¹⁰	4×10 ⁻²
Polonium (84).....	Pu 242	4×10 ⁻³	6×10 ⁻¹¹	2×10 ⁻⁴	3×10 ⁻¹⁰	9×10 ⁻²
	Po 210	1×10 ⁻³	2×10 ⁻¹⁰	1×10 ⁻⁴	1×10 ⁻¹⁰	6×10 ⁻²
	K 42	8×10 ⁻³	5×10 ⁻¹⁰	3×10 ⁻⁴	2×10 ⁻¹⁰	3×10 ⁻²
	Pr 142	9×10 ⁻³	2×10 ⁻⁷	3×10 ⁻⁴	7×10 ⁻¹⁰	1×10 ⁻¹
Praseodymium (63).....	Pr 143	1×10 ⁻³	3×10 ⁻⁷	5×10 ⁻⁴	6×10 ⁻¹⁰	2×10 ⁻¹
	Pm 147	6×10 ⁻³	6×10 ⁻¹⁰	2×10 ⁻⁴	2×10 ⁻¹⁰	6×10 ⁻²
	Pm 149	1×10 ⁻³	3×10 ⁻⁷	4×10 ⁻⁴	8×10 ⁻¹⁰	2×10 ⁻¹
	Pa 230	7×10 ⁻³	2×10 ⁻¹⁰	2×10 ⁻⁴	3×10 ⁻¹⁰	7×10 ⁻²
Protactinium (91).....	Pa 231	3×10 ⁻³	1×10 ⁻¹⁰	9×10 ⁻⁴	4×10 ⁻¹⁰	2×10 ⁻¹
	Pa 233	3×10 ⁻³	2×10 ⁻¹⁰	1×10 ⁻⁴	2×10 ⁻¹⁰	4×10 ⁻²

¹ Soluble (S); Insoluble (I); Submersion in a cloud of gaseous material (Sub).

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND—Continued

Element (atomic number)	Isotope ¹	Table I		Table II		Table III (body content)
		Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	
Radium (88).....	Ra 223	2×10 ⁻³	2×10 ⁻⁹	7×10 ⁻⁷	6×10 ⁻¹¹	5×10 ⁻⁴
	Ra 224	1×10 ⁻⁴	2×10 ⁻¹⁰	4×10 ⁻⁴	8×10 ⁻¹²	6×10 ⁻⁴
Radon (86).....	Ra 226	4×10 ⁻⁷	3×10 ⁻¹¹	1×10 ⁻⁴	1×10 ⁻¹²	1×10 ⁻¹
	Ra 228	9×10 ⁻⁷	2×10 ⁻¹¹	3×10 ⁻³	6×10 ⁻¹²	6×10 ⁻²
	Rn 220	7×10 ⁻⁴	9×10 ⁻¹¹	3×10 ⁻³	2×10 ⁻¹²	6×10 ⁻²
	Rn 222	2×10 ⁻³	9×10 ⁻¹¹	3×10 ⁻³	3×10 ⁻¹²	6×10 ⁻²
Rhenium (75).....	Re 183	2×10 ⁻²	3×10 ⁻⁷	6×10 ⁻⁴	3×10 ⁻⁹	8×10 ⁻¹
	Re 186	3×10 ⁻³	8×10 ⁻⁷	9×10 ⁻³	2×10 ⁻⁹	2×10 ⁻¹
	Re 187	1×10 ⁻³	2×10 ⁻⁷	5×10 ⁻³	8×10 ⁻⁹	3×10 ⁻¹
	Re 188	4×10 ⁻³	6×10 ⁻⁷	2×10 ⁻³	2×10 ⁻⁹	7×10 ⁻¹
Rhodium (45).....	Rh 103m	9×10 ⁻⁴	2×10 ⁻⁷	6×10 ⁻³	1×10 ⁻⁹	2×10 ⁻¹
	Rh 105	3×10 ⁻³	8×10 ⁻⁷	1×10 ⁻²	3×10 ⁻⁹	4×10 ⁻¹
	Rb 86	2×10 ⁻³	3×10 ⁻⁷	1×10 ⁻³	3×10 ⁻⁹	3×10 ⁻¹
	Rb 87	2×10 ⁻³	7×10 ⁻⁷	2×10 ⁻³	2×10 ⁻⁹	2×10 ⁻¹
Ruthenium (44).....	Ru 97	6×10 ⁻³	2×10 ⁻⁷	1×10 ⁻⁴	8×10 ⁻⁹	3×10 ⁻¹
	Ru 103	1×10 ⁻²	2×10 ⁻⁷	8×10 ⁻⁴	2×10 ⁻⁹	2×10 ⁻¹
	Ru 105	2×10 ⁻³	8×10 ⁻⁷	3×10 ⁻³	2×10 ⁻⁹	2×10 ⁻¹
	Ru 106	3×10 ⁻³	8×10 ⁻⁷	1×10 ⁻³	3×10 ⁻⁹	2×10 ⁻¹
Samarium (62).....	Sm 147	3×10 ⁻³	6×10 ⁻¹¹	6×10 ⁻³	2×10 ⁻¹⁰	1×10 ⁻¹
	Sm 151	1×10 ⁻³	3×10 ⁻¹⁰	7×10 ⁻⁴	9×10 ⁻¹²	1×10 ⁻¹
	Sm 153	1×10 ⁻³	1×10 ⁻¹⁰	4×10 ⁻⁴	2×10 ⁻¹⁰	2×10 ⁻¹
	Sc 46	1×10 ⁻³	2×10 ⁻⁷	8×10 ⁻³	1×10 ⁻⁹	1×10 ⁻¹
Scandium (21).....	Sc 47	3×10 ⁻³	6×10 ⁻⁷	9×10 ⁻³	8×10 ⁻⁹	6×10 ⁻¹
	Sc 48	8×10 ⁻³	1×10 ⁻⁷	3×10 ⁻³	2×10 ⁻⁹	9×10 ⁻¹
	Se 75	9×10 ⁻³	1×10 ⁻⁷	3×10 ⁻³	4×10 ⁻⁹	1×10 ⁻¹
	Si 31	8×10 ⁻³	1×10 ⁻⁷	3×10 ⁻³	4×10 ⁻⁹	1×10 ⁻¹
Silver (47).....	Ag 105	6×10 ⁻³	1×10 ⁻⁷	2×10 ⁻⁴	3×10 ⁻⁹	3×10 ⁻¹
	Ag 110m	9×10 ⁻⁴	2×10 ⁻⁷	1×10 ⁻⁴	2×10 ⁻⁹	1×10 ⁻¹
	Ag 111	1×10 ⁻³	3×10 ⁻⁷	3×10 ⁻³	7×10 ⁻⁹	2×10 ⁻¹
	Na 22	1×10 ⁻³	3×10 ⁻⁷	4×10 ⁻³	1×10 ⁻⁹	2×10 ⁻¹
Sodium (11).....	Na 24	1×10 ⁻³	2×10 ⁻⁷	4×10 ⁻³	6×10 ⁻⁹	1×10 ⁻¹
	Sr 85m	9×10 ⁻³	1×10 ⁻⁷	3×10 ⁻³	3×10 ⁻⁹	7×10 ⁻¹
	Sr 85	2×10 ⁻³	1×10 ⁻⁷	7×10 ⁻³	1×10 ⁻⁹	5×10 ⁻¹
	Sr 86	3×10 ⁻³	3×10 ⁻⁷	2×10 ⁻³	1×10 ⁻⁹	6×10 ⁻¹
Strontium (38).....	Sr 90	8×10 ⁻³	3×10 ⁻⁷	3×10 ⁻³	1×10 ⁻⁹	4×10 ⁻¹
	Sr 91	1×10 ⁻³	5×10 ⁻⁷	4×10 ⁻³	2×10 ⁻⁹	3×10 ⁻¹
	Sr 92	2×10 ⁻³	3×10 ⁻⁷	6×10 ⁻³	2×10 ⁻⁹	2×10 ⁻¹
		2×10 ⁻³	3×10 ⁻⁷	6×10 ⁻³	3×10 ⁻⁹	1×10 ⁻¹

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND—Continued

[illegible]

*In this case "not present" implies the concentration of the radionuclide in water or air is small compared with the MPO value in Tables I or II.

CONCENTRATIONS IN WATER AND AIR ABOVE NATURAL BACKGROUND—Continued

Element (atomic number)	Isotope ¹	Table I		Table II		Table III (body content)	
		Column 1 Water (uc/ml)	Column 2 Air (uc/ml)	Column 1 Water/ (uc/ml)	Column 2 Air (uc/ml)		
Sulfur (16)	S 35	2×10 ⁻³	3×10 ⁻⁷	6×10 ⁻³	9×10 ⁻²	9×10 ⁻²	
	Ta 182	8×10 ⁻³	3×10 ⁻⁷	3×10 ⁻³	9×10 ⁻²	7	
	Ta 182	1×10 ⁻³	4×10 ⁻⁸	4×10 ⁻³	1×10 ⁻²	6×10 ⁻²	
	Tc 98m	1×10 ⁻³	8×10 ⁻⁸	1×10 ⁻³	3×10 ⁻²	1×10 ⁻²	
	Tc 98	3×10 ⁻³	3×10 ⁻⁸	1×10 ⁻³	5×10 ⁻²	1×10 ⁻²	
	Tc 97m	1×10 ⁻³	2×10 ⁻⁷	4×10 ⁻³	8×10 ⁻²	2×10 ⁻²	
	Tc 97	6×10 ⁻³	1×10 ⁻⁷	2×10 ⁻³	5×10 ⁻²	6×10 ⁻²	
	Tc 98m	2×10 ⁻³	3×10 ⁻⁷	8×10 ⁻³	1×10 ⁻²	2×10 ⁻²	
	Tc 99	5×10 ⁻³	1×10 ⁻³	3×10 ⁻³	5×10 ⁻²	1×10 ⁻²	
	Tc 120m	5×10 ⁻³	6×10 ⁻⁸	3×10 ⁻³	7×10 ⁻²	2×10 ⁻²	
Tellurium (52)	Ta 127m	2×10 ⁻³	1×10 ⁻⁷	1×10 ⁻³	6×10 ⁻²	7	
	Ta 127	8×10 ⁻³	4×10 ⁻⁸	5×10 ⁻³	1×10 ⁻²	2×10 ⁻²	
	Ta 126m	5×10 ⁻³	9×10 ⁻⁷	2×10 ⁻³	3×10 ⁻²	3	
	Ta 126	1×10 ⁻³	8×10 ⁻⁸	2×10 ⁻³	3×10 ⁻²	5	
	Ta 129	2×10 ⁻³	3×10 ⁻³	2×10 ⁻³	1×10 ⁻²	4	
	Ta 131m	2×10 ⁻³	4×10 ⁻⁸	8×10 ⁻³	1×10 ⁻²	3	
	Ta 132	1×10 ⁻³	2×10 ⁻⁷	4×10 ⁻³	7×10 ⁻²	2×10 ⁻²	
	Ta 160	6×10 ⁻⁴	1×10 ⁻⁷	3×10 ⁻³	4×10 ⁻²	3×10 ⁻²	
	Ta 200	1×10 ⁻³	1×10 ⁻⁷	4×10 ⁻³	1×10 ⁻²	4×10 ⁻²	
	Ta 201	1×10 ⁻³	3×10 ⁻⁸	4×10 ⁻³	3×10 ⁻²	2×10 ⁻²	
Terbium (65)	Ta 202	4×10 ⁻³	8×10 ⁻⁷	7×10 ⁻³	3×10 ⁻²	2×10 ⁻²	
	Ta 204	3×10 ⁻³	6×10 ⁻⁷	1×10 ⁻³	8×10 ⁻²	1×10 ⁻²	
	Ta 230	2×10 ⁻³	3×10 ⁻⁸	6×10 ⁻³	9×10 ⁻²	.05	
	Ta 232	2×10 ⁻³	9×10 ⁻¹¹	5×10 ⁻³	3×10 ⁻²	.04	
	Ta natural	2×10 ⁻³	9×10 ⁻¹¹	5×10 ⁻³	3×10 ⁻²	.01	
	Ta 234	6×10 ⁻⁴	3×10 ⁻⁸	2×10 ⁻³	1×10 ⁻²	2	
	Tm 170	1×10 ⁻³	3×10 ⁻⁸	5×10 ⁻³	1×10 ⁻²	.9	
	Tm 171	1×10 ⁻³	1×10 ⁻⁸	5×10 ⁻³	2×10 ⁻²	9×10 ⁻²	
	Tm 113	1×10 ⁻³	2×10 ⁻⁷	8×10 ⁻³	3×10 ⁻²	3×10 ⁻²	
	Tm 125	2×10 ⁻³	9×10 ⁻⁷	2×10 ⁻³	2×10 ⁻²	7	
Tin (50)	W 181	1×10 ⁻³	2×10 ⁻⁸	4×10 ⁻³	8×10 ⁻²	7×10 ⁻²	
	W 185	3×10 ⁻³	8×10 ⁻⁸	3×10 ⁻³	5×10 ⁻²	3×10 ⁻²	
	W 187	2×10 ⁻³	3×10 ⁻⁷	6×10 ⁻³	2×10 ⁻²	3×10 ⁻²	
	Tungsten (Wolfram) (74)	W 187	2×10 ⁻³	3×10 ⁻⁷	6×10 ⁻³	2×10 ⁻²	3×10 ⁻²

Soluble (S) : Insoluble (I) : Submersion in a cloud of gaseous material (Sub).

Dated at Germantown, Md., this 24th day of April 1959.

For the Atomic Energy Commission.

A. R. LUEDECKE,
General Manager.

[F.R. Doc. 59-3662; Filed, May 1, 1959;
8:45 a.m.]

LIBRARY OF CONGRESS

U.S. Copyright Office

[37 CFR Parts 201, 202]

COPYRIGHT OFFICE REGULATIONS

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Register of Copyrights, 17 U.S.C. 207, it is proposed to amend 37 CFR Parts 201 and 202 as set forth below. The purpose of this amendment is to make certain technical corrections, to clarify the language of the existing regulations, and to add statements of new policy with regard to the registration of claims to copyright. At the conclusion of each affected paragraph appears a brief comment concerning the amended provisions.

The proposed amendment does not relate to matters of rule making within the scope of section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003); however, as a matter of policy, whenever practicable, it is believed that the rule making requirements should be followed voluntarily. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Register of Copyrights, Library of Congress, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER. After consideration of responses so received, and including such further changes as may be found necessary because of them, the revised regulations will be published in the FEDERAL REGISTER, effective as of the date of publication.

Dated: April 22, 1959.

[SEAL]

ARTHUR FISHER,
Register of Copyrights.

Approved:

L. QUINCY MUMFORD,
Librarian of Congress.

PART 201—GENERAL PROVISIONS

- Sec.
- 201.1 Communications with the Copyright Office.
 - 201.2 Information given by the Copyright Office.
 - 201.3 Catalog of Copyright Entries.
 - 201.4 Assignments of copyright and other papers.
 - 201.5 Amendments to completed Copyright Office registrations and other records.
 - 201.6 Payment and refund of Copyright Office fees.
 - 201.7 Preparation of catalog card.
 - 201.8 Import statements.

AUTHORITY: §§ 201.1 to 201.8 issued under sec. 207.61 Stat. 666; 17 U.S.C. 207.

§ 201.1 Communications with the Copyright Office.

Mail and other communications shall be addressed to the Register of Copyrights, Library of Congress, Washington 25, D.C.

§ 201.2 Information given by the Copyright Office.

(a) *In general.* (1) Information relative to the operations of the Copyright Office is supplied without charge. A search of the records, indexes and deposits will be made for such information as they may contain relative to copyright claims upon application and payment of the statutory fee. The Copyright Office, however, does not undertake the making of comparisons of copyright deposits to determine similarity between works, nor does it give legal opinions or advice on such matters as:

(i) The validity or status of any copyright other than the facts shown in the records of the Office;

(ii) The rights of persons, whether in connection with cases of alleged copyright infringement, contracts between authors and publishers or other matters of a similar nature;

(iii) The scope and extent of protection of works in foreign countries or interpretation of foreign copyright laws or court opinions;

(iv) The sufficiency, extent or scope of compliance with the copyright law.

(2) In addition, the Office cannot undertake to furnish the names of copyright attorneys, publishers, agents, or other similar information.

(Comment: Subdivision iii is amplified.)

(b) *Inspection and copying of records.* (1) Inspection and copying of completed records and indexes relating to a registration or a recorded document, and inspection of copies deposited in connection with a completed copyright registration, may be undertaken at such times as will not result in interference with or delay in the work of the Copyright Office.

(2) The copying from the Copyright Office records of names and addresses for the purpose of compiling mailing lists and other similar uses is expressly prohibited.

(Comment: The right of access to completed records is strengthened.)

(c) *Correspondence.* (1) Official correspondence, including preliminary applications, between copyright claimants or their agents and the Copyright Office, and directly relating to a completed registration or to a recorded document, is made available for inspection by persons properly and directly concerned. Requests for photocopies of the correspondence shall be made pursuant to paragraph (d) of this section.

(2) (i) Correspondence, application forms and any accompanying material forming a part of a pending or rejected application are not records which are open to public inspection under paragraph (b) of this section.

(ii) Inspection of such files may be afforded upon presentation of written authorization of the claimant or his

agent, or upon submission to the Register of Copyrights, Library of Congress, Washington 25, D.C., of a written request which is deemed by him to show good cause for such access and which establishes that the person making the request is one properly and directly concerned.

(iii) Where such access is authorized and photocopies of the official file are subsequently requested, the conditions and procedures of paragraph (d) of this section are controlling.

(3) Correspondence, memoranda, reports, opinions, and similar material relating to internal management, office administration, security matters, and general policy and decisional material, including the work product of an attorney, are not open to public inspection.

(4) The Copyright Office will return unanswered any abusive or scurrilous correspondence.

(Comment: A new procedure is provided for possible access to pending and rejected applications. An affirmative statement of material not open to public inspection is included.)

(d) *Requests for copies.* (1) Requests for additional certificates of registration should be sent to the Copyright Office, and the accompanying fees should be made payable to the Register of Copyrights.

(2) Requests for photocopies of copyright deposits, official correspondence, and Copyright Office records (other than additional certificates of registration) should be sent to the Chief, Photoduplication Service, Library of Congress, Washington 25, D.C., the accompanying fees in payment of such services being made payable to that official. When the photocopy is to be certified by the Copyright Office, the additional certification fee should be made payable to the Register of Copyrights and both remittances together with the transmittal letter are to be sent to the Copyright Office.

(3) Requests for photocopies of official correspondence shall identify the specific material desired and shall contain a statement enabling the Copyright Office to determine if the writer is properly and directly concerned.

(4) Requests for photocopies of copyright deposits will be granted when one or more of the following conditions are fulfilled:

(i) *Authorization by owner.* When authorized in writing by the copyright owner or his designated agent.

(ii) *Request by attorney.* When required in connection with litigation, actual or prospective, in which the copyrighted work is involved; but in all such cases the attorney representing the actual or prospective plaintiff or defendant for whom the request is made shall give in writing: (a) The names of the parties and the nature of the controversy; (b) the name of the court where the action is pending, or, in the case of a prospective proceeding, a full statement of the facts of the controversy in which the copyrighted work is involved; and (c) satisfactory assurances that the requested copy will be used only in connection with the specified litigation.

(iii) *Court order.*—When an order to have the copy made is issued by a court having jurisdiction of a case in which the copy is to be submitted as evidence.

(Comment: Clarifying language is added.)

§ 201.3 Catalog of Copyright Entries.

The current subscription price for all parts of the complete yearly Catalog of Copyright Entries is \$20.00. Each part of the Catalog is published in two semi-annual numbers covering, respectively, the periods January-June and July-December. The prices given in the list below are for each semiannual number. The Catalog may be obtained, upon payment of the established price, from the Register of Copyrights, Library of Congress, Washington 25, D.C., to whom requests for copies should be addressed and to whom the remittance should be made payable.

Part 1—Books and Pamphlets Including Serials and Contributions to Periodicals, \$2.50.

Part 2—Periodicals, \$1.00.

Parts 3-4—Dramas and Works Prepared for Oral Delivery, \$1.00.

Part 5—Music, \$3.50.

Part 6—Maps and Atlases, \$0.50.

Parts 7-11A—Works of Art, Reproductions of Works of Art, Scientific and Technical Drawings, Photographic Works, Prints and Pictorial Illustrations, \$1.00.

Part 11B—Commercial Prints and Labels, \$1.00.

Part 12-13—Motion Pictures and Filmstrips, \$0.50.

(Comment: The consolidation of Parts 5A, 5B and 5C of the catalog into one part necessitates a change in the part listing.)

§ 201.4 Assignments of copyright and other papers.

Assignments of copyright and other papers relative to copyrights will be recorded in the Copyright Office upon payment of the statutory fee. Examples of such papers include powers of attorney, licenses to use a copyrighted work, agreements between authors and publishers covering a particular work or works and the rights thereto, mortgages, certificates of change of corporate title, wills, and decrees of distribution. The original, signed instrument should be submitted for recordation, and is returned to the sender with a certificate of record. Where the original instrument is not available, a certified or other copy may be submitted, but it shall be accompanied by a statement that the original is not available.

§ 201.5 Amendments to completed Copyright Office registrations and other records.

(a) *No cancellations.* No correction or cancellation of a Copyright Office registration or other record will be made (other than a registration or record provisional upon receipt of fee as provided in § 201.6) after it has been completed if the facts therein stated agree with those supplied the Office for the purpose of making such record. However, it shall be within the discretion of the Register of Copyrights to determine if any particular case justifies the placing of an annotation upon any record for the purpose of clarification, explanation, or indication that there exists elsewhere in

the records, indexes or correspondence files of the Office, information which has reference to the facts as stated in such record.

(Comment: A technical change only is made.)

(b) *Correction by new registration.* In exceptional cases, where an applicant desires to correct, amend or amplify a registration previously made in accordance with information furnished by a claimant or his agent, a new application indicating its amendatory purpose shall be filed, accompanied by the statutory fee and the same number of copies required for a new application. Where it is satisfactorily established that copies of the original work cannot be obtained for submission, photostat or microfilm copies of the original may be submitted.

§ 201.6 Payment and refund of Copyright Office fees.

(a) *In General.* All fees sent to the Copyright Office should be in the form of a money order, check or bank draft payable to the Register of Copyrights. Coin or currency sent to the Office in letters or packages will be at the remitter's risk. Remittances from foreign countries should be in the form of an International Money Order or Bank Draft payable and immediately negotiable in the United States for the full amount of the fee required. Uncertified checks are accepted subject to collection. Where the statutory fee is submitted in the form of a check, the registration of the copyright claim or other record made by the Office is provisional until payment in money is received. In the event the fee is not paid, the registration or other record shall be expunged.

(Comment: Due to difficulties experienced in receiving foreign remittances, a change is here made requiring such remittances to be either in the form of an International Money Order or a Bank Draft.)

(b) *Deposit accounts.* Persons or firms having a considerable amount of business with the Copyright Office may, for their own convenience, prepay copyright expenses by establishing a Deposit Account.

(c) *Refunds.* Money paid for applications which are rejected or payments made in excess of the statutory fee will be refunded, but amounts of twenty-five cents or less will not be returned unless specifically requested and such sums may be refunded in postage stamps. All larger amounts will be refunded by check.

(d) *Return of deposit copies.* Copies of works deposited in the Copyright Office pursuant to law are either retained in the Copyright Office, transferred for the permanent collections or other uses of the Library of Congress, or disposed of according to law. When an application is rejected, the Copyright Office reserves the right to retain the deposited copies.

§ 201.7 Preparation of catalog card.

The catalog card which may accompany a work of foreign origin, as provided in section 215 of title 17, U.S. Code,

as amended, may be a catalog card supplied by a library in the country of publication. In lieu of such a card the applicant may prepare his own card, or may fill out the form supplied by the Copyright Office. The catalog card should contain the full name of the author of the original work, title and description from the title page, paging, copyright claimant, the city and year of publication, and the names of all other authors, editors, etc., whom the applicant considers of sufficient importance to record. When available, the year of birth of each author named should be given. If the form furnished by the Office is not used, the size of the card should preferably be 5 inches wide by 3 inches deep or 12.5 centimeters wide by 7.5 centimeters deep. The Register of Copyrights reserves the right to accept catalog cards not complying with the above requirements.

§ 201.8 Import statements.

(a) The Copyright Office will issue import statements for books and periodicals first published abroad in the English language which are to be imported under the provisions of section 16 of title 17, U.S. Code, as amended. A statement for the importation of 1,500 copies will be issued to the person named in the application for ad interim copyright registration. The holder of this statement shall present it to the customs officer in charge of the port of entry. Upon receipt of a statement from the customs officer, showing importation of less than 1,500 copies, a new statement will be issued for the balance.

(b) The provisions in the Customs Regulations covering the use of the import statement (Copyright Office Form C-85) are found in 19 CFR 11.21 (21 F.R. 2517).

(Comment: The second paragraph is added.)

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

Sec.	
202.1	Material not subject to copyright.
202.2	Copyright notice.
202.3	Application forms.
202.4	Books (Class A).
202.5	Periodicals (Class B).
202.6	Lectures or similar productions prepared for oral delivery (Class C).
202.7	Dramatic and dramatico-musical compositions (Class D).
202.8	Musical compositions (Class E).
202.9	Maps (Class F).
202.10	Works of art (Class G).
202.11	Reproduction of works of art (Class H).
202.12	Drawings or plastic works of a scientific or technical character (Class I).
202.13	Photographs (Class J).
202.14	Prints, pictorial illustrations and commercial prints or labels (Class K).
202.15	Motion pictures (Classes L-M).
202.16	Deposit of photographs or other identifying reproductions in lieu of copies.
202.17	Renewals.
202.18	Notices of use.

AUTHORITY: §§ 202.1 to 202.18 issued under sec. 207.61 Stat. 606; 17 U.S.C. 207.

§ 202.1 Material not subject to copyright.

The following are examples of works not subject to copyright and applications for registration of such works cannot be entertained:

(a) Words and short phrases such as names, titles, and slogans; familiar symbols or designs; mere variations of typographic ornamentation, lettering or coloring; mere listing of ingredients or contents;

(b) Ideas, plans, methods, systems, or devices, as distinguished from the particular manner in which they are expressed or described in a writing;

(c) Works designed for recording information which do not in themselves convey information, such as, time cards, graph paper, account books, diaries, bank checks, score cards, address books, report forms, order forms and the like;

(d) Works consisting entirely of information that is common property containing no original authorship, such as, for example: Standard calendars, height and weight charts, tape measures and rulers, schedules of sporting events, and lists or tables taken from public documents or other common sources.

§ 202.2 Copyright notice.

(a) *General.* (1) With respect to a published work, copyright is secured, or the right to secure it is lost, at the date of publication, i.e., the date on which copies are first placed on sale, sold, or publicly distributed, depending upon the adequacy of the notice of copyright on the work at that time.

(2) If publication occurs by distribution of copies or in some other manner, without the statutory notice or with an inadequate notice, the right to secure copyright is lost. In such cases, copyright cannot be secured by adding the notice to copies distributed at a later date.

(3) Works first published abroad, other than works eligible for ad interim registration, must bear an adequate copyright notice at the time of their first publication in order to secure copyright under the law of the United States.

(Comment: This reflects a new policy change.)

(b) *Defects in notice.* Where the copyright notice does not meet the requirements of the law, the Copyright Office will reject an application for copyright registration. Common defects in the notice include, among others, the following:

(1) The notice lacks one or more of the necessary elements (i.e., the word "Copyright", the abbreviation "Copr.", or the symbol ©; the name of the copyright proprietor; or, when required, the year date of publication);

(2) The elements of the notice are dispersed;

(3) The notice is not in one of the positions prescribed by law;

(4) The notice is in a foreign language;

(5) The name in the notice is that of someone who had no authority to secure copyright in his name;

(6) The year date in the copyright notice is later than the date of the year

in which copyright was actually secured, including the following cases:

(i) Where the year date in the notice is later than the date of actual publication;

(ii) Where copyright was first secured by registration of a work in unpublished form, and copies of the same work as later published without change in substance bear a copyright notice containing a year date later than the year of unpublished registration;

(iii) Where a book or periodical published abroad, for which ad interim copy has been obtained, is later published in the United States without change in substance and contains a year date in the copyright notice later than the year of first publication abroad:

Provided, however, That in each of the three foregoing types of cases, if the copyright was actually secured not more than one year earlier than the year date in the notice, registration may be considered as a doubtful case.

(7) A notice is permanently covered so that it cannot be seen without tearing the work apart;

(8) A notice is illegible or so small that it cannot be read without the aid of a magnifying glass: *Provided, however,* That where the work itself requires magnification for its ordinary use (e.g., a microfilm, microcard or motion picture) a notice which will be readable when so magnified, will not constitute a reason for rejection of the claim;

(9) A notice is on a detachable tag and will eventually be detached and discarded when the work is put in use;

(10) A notice is on the wrapper or container which is not a part of the work and which will eventually be removed and discarded when the work is put in use;

(11) The notice is restricted or limited exclusively to an uncopyrightable element, either by virtue of its position on the work, by the use of asterisks, or by other means.

(Comment: The modification of subparagraph (6) reflects a new policy change in certain doubtful cases.)

§ 202.3 Application forms.

(a) *In general.* Section 5 of title 17 of the U.S. Code provides thirteen classes (Class A through Class M) of works in which copyright may be claimed. Examples of certain works falling within these classes are given in §§ 202.4 to 202.15 inclusive, for the purpose of assisting persons, who desire to obtain registration of a claim to copyright, to select the correct application form.

(Comment: A technical change only is made.)

(b) *Claims of copyright.* (1) All works deposited for registration shall be accompanied by a "claim of copyright" in the form of a properly executed application, together with the statutory registration fee. The Office reserves the right to refuse to accept any application that is a carbon copy, illegible, defaced, or otherwise not in an acceptable condition for examination and recording.

(2) Where these separate elements are not received simultaneously, the

Copyright Office holds the submitted elements for a reasonable time and, in default of the receipt of the missing element or elements after a request made therefor, the submitted item or items may be returned to the sender. Such action does not constitute a waiver of the right of the Register of Copyrights pursuant to section 14, title 17, U.S. Code, to demand compliance with the deposit provisions of that title.

(3) Applications for copyright registration covering published works should reflect the facts existing at the time of first publication, and should not include information concerning changes that have occurred between the time of publication and registration. The name given as copyright claimant in the application should agree with the name appearing in the copyright notice.

(4) Applications should be submitted by the copyright claimant, or by someone acting under his authority.

(5) All information requested by the Copyright Office application form should be given in the appropriate spaces provided. There should not be attached to the application any slips of paper or extra pages containing additional information, or a continuation of requested information.

(Comment: The last sentence of (b) (1) is new. A new subparagraph (5) is added.)

(c) *Forms.* The Copyright Office supplies without charge the following forms for use when applying for the registration of a claim to copyright in a work and for the filing of a notice of use of musical compositions on mechanical instruments.

Form A—Published book manufactured in the United States of America (Class A).

Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America (Classes A-B).

Form A-B Foreign—Book or periodical manufactured outside the United States of America (except works subject to the ad interim provisions of the copyright law). (Classes A-B).

Form B—Periodical manufactured in the United States of America (Class B).

Form BB—Contribution to a periodical manufactured in the United States of America (Class B).

Form C—Lecture or similar production prepared for oral delivery (Class C).

Form D—Dramatic or dramatico-musical composition (Class D).

Form E—Musical composition the author of which is a citizen or domiciliary of the United States of America or which was published in the United States of America (Class E).

Form E Foreign—Musical composition the author of which is not a citizen or domiciliary of the United States of America and which was not first published in the United States of America (Class E).

Form F—Map (Class F).

Form G—Work of art or a model or design for a work of art (Class G).

Form H—Reproduction of a work of art (Class H).

Form I—Drawing or plastic work of a scientific or technical character (Class I).

Form J—Photograph (Class J).

Form K—Print or pictorial illustration (Class K).

Form KK—Print or label used for an article of merchandise (Class K).

Form L—Motion picture (Classes L-M).

Form R—Renewal copyright.

Form U—Notice of use of copyrighted music on mechanical instruments.

(Comment: The title of four revised application forms, A-B Foreign, KK, R, & U, have been changed.)

§ 202.4 Books (Class A).

(a) *Subject matter and forms.* This class includes such published works as fiction and nonfiction, poems, compilations, composite works, directories, catalogs, annual publications, information in tabular form, and similar text matter, with or without illustrations, as books, either bound or in loose-leaf form, pamphlets, leaflets, cards, single pages or the like. Applications for registration of claims to copyright in published books manufactured in the United States of America are made on Form A; in books manufactured outside of the United States of America, except those subject to ad interim provisions of the copyright law, on Form A-B Foreign; and in books in the English language manufactured and first published outside the United States of America, and subject to the ad interim provisions of the copyright law, on Form A-B Ad Interim.

(Comment: The second sentence is changed to reflect a modification in the title of application form A-B Foreign.)

(b) *Ad interim registrations.* (1) An American edition of an English-language book or periodical identical in substance to that first published abroad will not be registered unless an ad interim registration is first made.

(2) When a book or periodical has been registered under the ad interim provisions, an American edition of the same work, to be registrable, must be manufactured and published in the United States within five years after the date of first publication abroad.

(3) Since by law ad interim copyright expires at the end of the ad interim term unless an American edition is published during that term, a renewal application covering a work registered only under the ad interim provisions will be rejected. Where both an ad interim and an American edition have been registered, the registrability of the renewal application is governed by the date of the first publication abroad.

(Comment: The headnote is italicized.)

§ 202.5 Periodical (Class B).

This class includes such works as newspapers, magazines, reviews, bulletins, and serial publications, published at intervals or less than a year. Applications for registration of claims to copyright in published periodicals manufactured in the United States of America are made on Form B; in periodicals, or in contributions thereto, manufactured and first published outside the United States of America, except those subject to the ad interim provision of the copyright law, on Form A-B Foreign; and in periodicals, or in contributions thereto, in the English language manufactured and first published outside of the United States of America, and subject to the ad interim provisions of the copyright law, on Form A-B Ad Interim.

Applications for registration of claims to copyright in contributions to periodicals manufactured in the United States of America are made on Form BB. Application for registration of claims to copyright in contributions to periodicals, which contributions are prints published in connection with the sale or advertisement of an article or articles of merchandise, are made on Form KK.

§ 202.6 Lectures or similar productions prepared for oral delivery (Class C).

This class includes the scripts of unpublished works prepared in the first instance for oral delivery, such as lectures, sermons, addresses, monologs, panel discussions, and variety programs prepared for radio or television. The script submitted for registration in Class C should consist of the actual text of the work to be presented orally. Formats, outlines, brochures, synopses, or general descriptions of radio and television programs are not registrable in unpublished form. When published with notice as prescribed by law, such works may be considered for registration as "books" in Class A.

§ 202.7 Dramatic and dramatico-musical compositions (Class D).

This class includes published or unpublished works dramatic in character such as the acting version of plays for the stage, motion pictures, radio, television and the like, operas, operettas, musical comedies and similar productions, and pantomimes. Choreographic works of a dramatic character, whether the story or theme be expressed by music and action combined or by actions alone, are subject to registration in Class D. However, descriptions of dance steps and other physical gestures, including ballroom and social dances or choreographic works which do not tell a story, develop a character or emotion, or otherwise convey a dramatic concept or idea, are not subject to registration in Class D.

§ 202.8 Musical compositions (Class E).

(a) This class includes published or unpublished musical compositions in the form of visible notation (other than dramatico-musical compositions), with or without words, as well as new versions of musical compositions, such as adaptations or arrangements, and editing when such editing is the writing of an author. The words of a song, when unaccompanied by music, are not registrable in Class E.

(b) A phonograph record or other sound recording is not considered a "copy" of the compositions recorded on it, and is not acceptable for copyright registration. Likewise, the Copyright Office does not register claims to exclusive rights in mechanical recordings themselves, or in the performances they reproduce.

§ 202.9 Maps (Class F).

This class includes all published cartographic representations of area, such as terrestrial maps and atlases, marine charts, celestial maps and such three-dimensional works as globes and relief models.

§ 202.10 Works of art (Class G).

(a) *General.* This class includes published or unpublished works of artistic craftsmanship, insofar as their form but not their mechanical or utilitarian aspects are concerned, such as artistic jewelry, enamels, glassware, and tapestries, as well as works belonging to the fine arts, such as paintings, drawings and sculpture.

(b) In order to be acceptable as a work of art, the work must embody some creative authorship in its delineation or form. The registrability of a work of art is not affected by the intention of the author as to the use of the work, the number of copies reproduced, or the fact that it appears on a textile material or textile product. The potential availability of protection under the design patent law will not affect the registrability of a work of art, but a copyright claim in a patented design or in the drawings or photographs in a patent application will not be registered after the patent has been issued.

(c) If the sole intrinsic function of an article is its utility, the fact that the article is unique and attractively shaped will not qualify it as a work of art. However, if the shape of a utilitarian article incorporates features, such as artistic sculpture, carving, or pictorial representation, which can be identified separately and are capable of existing independently as a work of art, such features will be eligible for registration.

(Comment: Paragraph (c) has been restated.)

§ 202.11 Reproductions of works of art (Class H).

This class includes published reproductions of existing works of art in the same or a different medium, such as a lithograph, photoengraving, etching or drawing of a painting, sculpture or other work of art.

§ 202.12 Drawings or plastic works of a scientific or technical character (Class I).

(a) This class includes published or unpublished two-dimensional drawings and three-dimensional plastic works which have been designed for a scientific or technical use and which contain copyrightable graphic, pictorial, or sculptured material. Works registrable in Class I include diagrams or models illustrating scientific or technical works or formulating scientific or technical information in linear or plastic form, such as, for example: a mechanical drawing, an astronomical chart, an architect's blueprint, an anatomical model, or an engineering diagram.

(Comment: The first sentence is clarified.)

(b) A work is not eligible for registration as a "plastic" work in Class I merely because it is formed from one of the commonly known synthetic chemical derivatives such as styrenes, vinyl compounds, or acrylic resins. The term "plastic work" as used in this context refers to a three-dimensional work giving the effect of that which is molded or sculptured. Examples of such works include statues of animals or plants used

for scientific or educational purposes, and engineers' scale models.

(c) A claim to copyright in a scientific or technical drawing, otherwise registrable in Class I, will not be refused registration solely by reason of the fact that it is known to form a part of a pending patent application. Where the patent has been issued, however, the claim to copyright in the drawing will be denied copyright registration.

(Comment: This is a new paragraph.)

§ 202.13 Photographs (Class J).

This class includes published or unpublished photographic prints and filmstrips, slide films and individual slides. Photoengravings and other photomechanical reproductions of photographs are registered in Class K or Form K.

§ 202.14 Prints, pictorial illustrations and commercial prints or labels (Class K).

(a) This class includes prints or pictorial illustrations, greeting cards, picture postcards and similar prints, produced by means of lithography, photoengraving or other methods of reproduction. These works when published are registered on Form K.

(b) A print or label, not a trademark, containing copyrightable pictorial matter, text, or both, published in connection with the sale or advertisement of an article or articles of merchandise is also registered in this class on Form KK. In the case of a print which is published in a periodical, use Form KK if the print is used in connection with the sale or advertisement of an article of merchandise, Form BB if it is not. Multipage works are more appropriately classified in Class A than in Class K.

(c) A claim to copyright cannot be registered in a print or label consisting solely of trademark subject matter and lacking copyrightable matter. While the Copyright Office will not investigate whether the matter has been or can be registered at the Patent Office, it will register a properly filed copyright claim in a print or label that contains the requisite qualifications for copyright even though there is a trademark on it. However, registration of a claim to copyright does not give the claimant rights available by trademark registrations at the Patent Office.

§ 202.15 Motion pictures (Classes L-M).

A single application Form L-M is available for registration of works in Classes L (Motion Picture Photoplays) and M (Motion Pictures other than Photoplays).

(a) *Photoplays (Class L)*. This class includes published or unpublished motion pictures that are dramatic in character and tell a connected story, such as feature films, filmed television plays, short subjects and animated cartoons having a plot.

(b) *Other than photoplays (Class M)*. This class includes published or unpublished nondramatic films such as newsreels, travelogs, training or promotional films, nature studies, and filmed television programs having no plot.

§ 202.16 Deposit of photographs or other identifying reproductions in lieu of copies.

(a) *Availability of option*. In the case of a published work which is reproduced in copies for sale, classified in Classes (g), (h), (i), and (k) of section 5, title 17, U.S. Code, copies of which are considered by the Register of Copyrights to be impracticable of deposit because of their size, weight, fragility, or monetary value, photographs or other identifying reproductions may be deposited in lieu of copies as provided by section 13, title 17, U.S. Code. The deposit of such photographs or reproductions shall be made in accordance with the following criteria:

(1) The number of sets of photographs or of reproductions to be submitted shall be the same as the number of copies provided by said section 13; duplicate sets shall be deposited unless the work is by a foreign author and has been published in a foreign country. Each set shall consist of as many photographs or reproductions in black and white, or in color, as are necessary to identify the work.

(2) All photographs or reproductions shall be of equal size, not less than 5 x 7 inches, and not exceeding 9 x 12 inches, but preferably 8 x 10 inches. The image of the work shown in all photographs or reproductions shall either be lifesize or larger, or if less than lifesize shall be at least 4 inches in its greatest dimension. The exact measurement of at least one dimension of the work shall be indicated on at least one corresponding photograph or reproduction in each set.

(3) The copyright notice and its position on the work must be clearly shown on at least one corresponding photograph or reproduction in each set. If, because of the size or location of the copyright notice, a photographic reproduction cannot be prepared, a drawing may be included in each set, of the same size as the photographs or reproductions, showing the exact appearance of the notice, its dimensions, and its specific position on the work.

(4) The title of the work shall appear on the front or back of each photograph or reproduction.

(5) A copy shall be considered to be impracticable of deposit if, because of

its size, weight, fragility or monetary value, it is unsuited to the filing procedures of the Copyright Office.

(Comment: Subparagraphs (1), (2), and (3) are clarified.)

(b) *Exceptions*. The provisions of this section, permitting the deposit of photographs in lieu of copies in certain cases, shall not apply to fine prints and two-dimensional art reproductions. The Register of Copyrights reserves the right in any other particular case to require as a condition precedent to registration, the deposit of copies of the work as published.

§ 202.17 Renewals.

(a) Claims to renewal copyright must be registered within the last (28th) year of the original copyright term. The original term for a published work is computed from the date of first publication; the term for a work originally registered in unpublished form is computed from the date of registration in the Copyright Office. Unless the required application and fee are received in the Copyright Office during the prescribed period before the first term of copyright expires, copyright protection is lost permanently and the work enters the public domain. The Copyright Office has no discretion to extend the renewal time limits.

(b) Renewal claims may be registered only in the names of persons falling within one of the classes of renewal claimants specified in the copyright law. If the work was a new version of a previous work, renewal may be claimed only in the new matter.

§ 202.18 Notices of use.

Notices of use of copyrighted musical compositions on mechanical instruments, required by section 1(e) of title 17, U.S. Code, will be recorded upon receipt of a properly executed Form U and upon payment of the prescribed fees. Notices of intention to use will be received pursuant to section 101(e) of title 17, U.S. Code; no special form is provided therefor.

(Comment: This section is clarified.)

[F.R. Doc. 59-3711; Filed, May 1, 1959; 8:45 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1959, Supp. 207]

GREAT AMERICAN INDEMNITY COMPANY

Termination of the Authority to Qualify as Surety on Federal Bonds

APRIL 28, 1959.

Notice is hereby given that the Certificate of Authority issued by the Secretary

of the Treasury to Great American Indemnity Company, New York, New York, under the provisions of the Act of Congress approved July 30, 1947 (U.S. Code, Title 6, secs. 6-13), to qualify as sole sureties on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States, has been terminated effective December 31, 1958.

Pursuant to Agreement of Merger, effective at close of business December 31, 1958, approved by the Insurance Commissioner of The Commonwealth of Massachusetts, December 1, 1958, the

Superintendent of Insurance of the State of New York, December 3, 1958, and the Chief Deputy Commissioner of Insurance of the State of Michigan, December 10, 1958, Great American Indemnity Company, New York, New York, Rochester American Insurance Company, New York, New York, Massachusetts Fire and Marine Insurance Company, Boston, Massachusetts, and Detroit Fire and Marine Insurance Company, Detroit, Michigan, were merged into Great American Insurance Company which is the surviving corporation. Great American Insurance Company acquired all of the assets and assumed all of the liabilities of the above-named companies.

Great American Insurance Company, a New York corporation, holds a certificate of authority from the Secretary of the Treasury as an acceptable surety on bonds in favor of the United States.

The Treasury has obtained from Great American Insurance Company a separate indemnifying agreement dated April 6, 1959, whereby Great American Insurance Company has assumed the liability for any losses and claims that have arisen or may arise under or in connection with any bond, undertaking or other form of obligation entered into or assumed by Great American Indemnity Company on or before December 31, 1958, or in its name at any time thereafter, in which the United States has or may have an interest, direct or indirect.

Copies of the agreements are on file in the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D.C.

No action need be taken by bond-approving officers, by reason of the merger, with respect to any bond or other obligations in favor of the United States, or in which the United States has an interest, direct or indirect, issued on or before December 31, 1958, by Great American Indemnity Company pursuant to the certificate of authority issued to the company by the Secretary of the Treasury.

The merger of the companies will not affect the underwriting limitation of the surviving corporation, Great American Insurance Company, which will remain at \$13,688,000.00.

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3732; Filed, May 1, 1959;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Bureau Order 551, Amdt. 49]

ASSIGNMENT, TRANSFER AND DISPOSAL OF REAL PROPERTY AND RELATED PERSONAL PROPERTY

Redelegation of Authority

APRIL 24, 1959.

Order 551, as amended, is further amended by addition of a new section, under the heading Functions Relating to Property Matters, to read as follows:

SEC. 313. *Assignment, transfer and disposal of real property and related personal property.* (a) In accordance with Secretarial Order No. 2830 and subject to the limitations set forth therein, the following authority with respect to real property and related personal property under the control and jurisdiction of his area:

(1) Granted in Chapter IV, Title 2, Regulations of the General Services Administration with regard to the reporting and transfer of such excess property;

(2) Granted in Chapter V, Title 2, Regulations of the General Services Administration with regard to the disposal of such surplus property;

(3) Granted in Delegation of Authority 287 (22 F.R. 2266) by the Administrator of General Services, with regard to determinations and disposal of such surplus property having a fair market value of less than \$1,000;

(4) To reassign such property to other bureaus or offices of this Department when the property is no longer needed by the holding bureau; and

(5) To transfer or dispose of such specified real property and related personal property as may be hereafter granted by the Administrator of General Services.

(b) The authority granted in this section shall not be redelegated.

GLENN L. EMMONS,
Commissioner.

[F.R. Doc. 59-3719; Filed, May 1, 1959;
8:46 a.m.]

Oil Import Administration

CRUDE OIL, UNFINISHED OILS, FINISHED PRODUCTS

Applications for Allocations

Pursuant to section 7 of Oil Import Regulation 1 (24 F.R. 1907), the following forms for filing applications for allocations for the allocation period July 1, 1959, through December 31, 1959, may now be obtained from the Oil Import Administration, Department of the Interior, Washington 25, D.C.

1. Application for Crude and Unfinished Oils Import Allocation Districts I-IV;

2. Application for Crude and Unfinished Oils Import Allocation District V;

3. Application for Crude and Unfinished Oils Import Allocation Puerto Rico;

4. Application for Finished Petroleum Products Import Allocation Districts I-IV;

5. Application for Finished Petroleum Products Import Allocation District V;

6. Application for Finished Petroleum Products Import Allocation Puerto Rico;

7. Application for a Residual Fuel Oil Import Allocation Districts I-IV;

8. Application for a Residual Fuel Oil Import Allocation District V;

9. Application for a Residual Fuel Oil Import Allocation Puerto Rico.

Copies of the forms will be mailed to present holders of import licenses.

Applicants are reminded that applications must be filed with the Administrator not later than 45 calendar days prior to the beginning of the allocation period.

With respect to allocations of imports of residual fuel oil and finished products in Districts I-IV and District V, in addition to applications by persons who imported such products during the calendar year 1957, applications may be filed by persons who imported such products during all or a part of the calendar year 1958, in the event that the base period for eligibility is broadened.

M. V. CARSON, Jr.,
Administrator.

APRIL 30, 1959.

[F.R. Doc. 59-3774; Filed, May 1, 1959;
8:52 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

AMERICAN MAIL LINE LTD.

Notice of Application

Notice is hereby given that American Mail Line Ltd., has filed application for the privilege, in conjunction with its "extended area" service on Trade Route No. 29, of loading cargo in California on not more than 12 inbound voyages per annum, on vessels en route Washington-Oregon, for discharge in the Bay of Bengal area (Burma, East Pakistan and East Coast of India, excluding Ceylon), on the outward leg of the succeeding voyage of the same vessel to the "extended area."

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended should by the close of business on May 19, 1959, notify the Secretary, Federal Maritime Board in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Federal Maritime Board.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Federal Maritime Board determines that petitions to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Federal Maritime Board will take such action as may be deemed appropriate.

Dated: April 29, 1959.

By order of the Federal Maritime Board

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-3738; Filed, May 1, 1959;
8:49 a.m.]

Office of the Secretary

STANLEY W. DENNIS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Pro-

duction Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interest as reported in the FEDERAL REGISTER during the past six months:

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of April 16, 1959.

STANLEY W. DENNIS.

APRIL 16, 1959.

[F.R. Doc. 59-3734; Filed, May 1, 1959; 8:48 a.m.]

ROBERT deS. COUCH

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months:

- A. Deletions:
Penn Texas.
U.S. Foil B.
- B. Additions:
Monogram Precision Industries.

This statement is made as of April 20, 1959.

R. deS. COUCH.

APRIL 20, 1959.

[F.R. Doc. 59-3735; Filed, May 1, 1959; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-130]

NORTHERN STATES POWER CO.

Notice of Application For Utilization Facility License

Please take notice that Northern States Power Company, Minneapolis, Minnesota, under section 104b of the Atomic Energy Act of 1954, has submitted an application for a license to construct and operate at a site near Sioux Falls, South Dakota, a power reactor designated as a Controlled Recirculation Boiling Reactor with nuclear superheater. The reactor is designed to produce 66,000 kilowatts gross electrical output. A copy of the application is available for public inspection in the AEC Public Document Room, located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Maryland, this 27th day of April 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 59-3710; Filed, May 1, 1959; 8:45 a.m.]

No. 86—4

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12179 etc.; FCC 59M-552]

RADIO ST. CROIX, INC., ET AL.

Notice of Informal Engineering Conference

In re applications of Radio St. Croix, Incorporated, New Richmond, Wisconsin, et al., Docket No. 12179, File No. BP-10925, Docket Nos. 12181, 12786, 12787, 12788, 12789, 12790, 12791, 12792, 12793, 12794, 12795, 12796, 12797, 12798, 12799, 12800, 12801, 12802, 12803, 12804 and 12805; for construction permits.

At the prehearing conference held on April 3, 1959, it was agreed that the engineers for the various parties would meet and attempt to resolve as many of the problems involved in the issues as possible. In view of the large number of parties, the Hearing Examiner was requested to designate a date for this conference and he, accordingly, set May 11, 1959.

It now appears that there will be additional applications designated in this proceeding and, since a conference which did not include the engineers of the new applicants would be fruitless, it appears advisable to move back the previously designated date.

Accordingly, the parties are hereby notified that the date for the conference of engineers is changed from May 11 to June 1, 1959.

Dated: April 27, 1959.

Released: April 28, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3739; Filed, May 1, 1959; 8:49 a.m.]

[Docket Nos. 12457, 12857; FCC 59M-548]

CLARENCE E. WILSON AND PERMIAN BASIN RADIO CORP. (KHOB)

Order Scheduling Hearing

In re applications of Clarence E. Wilson, Hobbs, New Mexico, Docket No. 12457, File No. BP-11817; Permian Basin Radio Corporation (KHOB), Hobbs, New Mexico, Docket No. 12857, File No. BP-12528; for construction permits.

It is ordered, This 27th day of April 1959, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 30, 1959, in Washington, D.C.

Released: April 28, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3740; Filed, May 1, 1959; 8:49 a.m.]

[Docket Nos. 12814, 12815; FCC 59M-551]

VOICE OF THE NEW SOUTH, INC. (WNSL) AND SOUTHLAND BROADCASTING CO. (WLAU)

Order Following Prehearing Conference

In re applications of Voice of the New South, Inc. (WNSL), Laurel, Mississippi, Docket No. 12814, File No. BP-11916; Southland Broadcasting Company (WLAU), Laurel, Mississippi, Docket No. 12815, File No. BMP-8053; for construction permits for new standard broadcast stations.

A prehearing conference in the above-entitled matter having been held on April 24, 1959, and it appearing from the record made therein that certain agreements were made which properly should be formalized in an order:

It is ordered, This 27th day of April 1959, that:

(1) The direct cases of the applicants shall be presented by written, sworn exhibits;

(2) In the event any written material is excluded at the hearing, then the party offering such matter shall be afforded the opportunity of restoration thereof by competent oral testimony;

(3) Engineering exhibits in final form shall be exchanged among counsel for all parties on May 26, 1959;

(4) Non-technical exhibits shall be exchanged among counsel for all parties on June 2, 1959;

(5) Counsel shall notify each other at the conclusion of the presentation of the direct cases as to those witnesses whom they desire to be made available for cross-examination; and

It is further ordered, That the hearing in this matter heretofore scheduled to commence on May 26, 1959, is continued to Tuesday, June 16, 1959, at 10:00 o'clock a.m., in the offices of the Commission, Washington, D.C.

Released: April 28, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3741; Filed, May 1, 1959; 8:49 a.m.]

[Docket No. 12822; FCC 59M-546]

OX-WALL PRODUCTS MANUFACTURING CO., INC.

Order Continuing Hearing

In the matter of cease and desist order to be directed to Ox-Wall Products Manufacturing Company, Inc., 50 Wall Street, Oxford, New Jersey, Docket No. 12822.

The Hearing Examiner having under consideration a written motion for a postponement of hearing in the above-entitled matter, filed April 16, 1959, by counsel for respondent; and

It appearing, that a postponement is required in the matter, that the Commis-

sion's Field Engineering and Monitoring Bureau is in favor of such postponement, and that good cause therefor has been shown;

It is ordered, This 27th day of April 1959, that the motion is granted and that the hearing in the above-entitled matter, scheduled to commence on April 30, 1959, in New York, New York, is hereby rescheduled to commence at 10:00 a.m., May 14, 1959.

Released: April 27, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3742; Filed, May 1, 1959;
8:49 a.m.]

[Docket No. 12853; FCC 59M-549]

BERKSHIRE MANUFACTURING CO., INC.

Order Scheduling Hearing

In the matter of cease and desist order to be directed to Berkshire Manufacturing Company, Inc., 7 John Street, Pittsfield, Massachusetts, Docket No. 12853.

It is ordered, This 27th day of April 1959, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is scheduled to commence on June 3, 1959, in Pittsfield, Massachusetts.

Released: April 28, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORSE,
Secretary.

[F.R. Doc. 59-3743; Filed, May 1, 1959;
8:49 a.m.]

[Docket Nos. 12854, 12855; FCC 59M-547]

GOLETA BROADCASTING ASSOCIATES ET AL.

Order Scheduling Hearing

In re applications of Thomas J. Davis, Jr., and Robert Sherman d/b as Goleta Broadcasting Associates, Goleta, California, Docket No. 12854, File No. BP-12044; Bert Williamson and Lester W. Spillane, a co-partnership, Santa Barbara, California, Docket No. 12855, File No. BP-12154; for construction permits.

It is ordered, This 27th day of April 1959, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 30, 1959, in Washington, D.C.

Released: April 28, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3744; Filed, May 1, 1959;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-18357 etc.]

MURPHY CORP. ET AL.

Order Instituting Investigation, Granting Motion To Consolidate Proceedings, and Consolidating Additional Proceedings

APRIL 28, 1959.

In the matters of Murphy Corporation, Docket No. G-18357, Murphy Corporation, et al., Docket Nos. G-9548, G-9550, G-11366, G-11367, G-13428, G-16613, G-16328; Murphy Corporation, Docket Nos. G-11160, G-13429, G-13432, G-14933, G-16614; Murphy Corporation (Operator), et al., Docket No. G-16323.

Murphy Corporation (Murphy) has filed proposed increased rates for sales of natural gas, subject to the jurisdiction of the Commission, which were suspended by orders of the Commission. The above-captioned proceedings, with the exception of Docket Nos. G-14933, G-16323, G-16328, G-16613, and G-16614, were consolidated for hearing. The hearing has heretofore commenced and is now set to reconvene on June 23, 1959.

At the hearing, on April 9, 1959, Murphy orally moved to consolidate Docket Nos. G-16613 and G-16614 with the proceedings heretofore consolidated inasmuch as the rate schedules involved therein were being considered in the hearing under prior rate increase proposals. The Presiding Examiner and Staff Counsel agreed that the aforesaid dockets should be consolidated with the proceedings being heard.

In view of the fact that Murphy and Staff have presented their cases on a company-wide basis, it is appropriate that a rate investigation be instituted and be broad enough to cover all of Murphy's rates and charges for sales of natural gas subject to the jurisdiction of the Commission. It appears that, upon the basis of data available to the Commission, the rates, charges, and classifications for, or in connection with, the sales or transportation of natural gas by Murphy, subject to the jurisdiction of the Commission, and the rules and regulations, practices, and contracts relating thereto may be unjust, unreasonable, unduly discriminatory, or preferential.

In addition, it appears that it is also appropriate and necessary to consolidate the suspension proceedings involved in Docket Nos. G-14933, G-16323, and G-16328 with the prior consolidated proceedings.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, on its own motion, into and concerning all rates, charges, or classifications demanded, observed, charged, or collected by Murphy in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts

affecting such rates, charges, or classifications.

(2) Good cause has been shown to grant Murphy's motion and consolidate Docket Nos. G-16613 and G-16614 in the above-captioned proceedings heretofore consolidated.

(3) Good cause has been shown to consolidate Docket Nos. G-14933, G-16323, and G-16328 with the previously consolidated proceedings.

The Commission orders:

(A) An investigation of Murphy is hereby instituted under the provisions of the Natural Gas Act, particularly sections 5 and 15 thereof, for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by Murphy, any of the rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential.

(B) If the Commission, after the hearing has been completed, shall find with respect to Murphy that any of its rates, charges, classifications, rules, regulations, practices, or contracts, subject to the jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory, or preferential, the Commission will thereupon determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force.

(C) Murphy's oral motion made before the Hearing Examiner on April 9, 1959, to consolidate Docket Nos. G-16613 and G-16614 with the proceedings previously consolidated and being heard, is hereby granted.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 4, 5, 14, 15, and 16 thereof, and the Commission's rules and regulations (18 CFR Ch. I), the suspension proceedings in Docket Nos. G-14933, G-16323, and G-16328 are hereby consolidated in the above consolidated proceedings, together with the rate investigation proceeding hereby instituted in Docket No. G-18357 for the purpose of hearing.

(E) When the hearing reconvenes on June 23, 1959, Murphy and Staff may present any necessary amended exhibits and additional testimony to encompass the proceedings not heretofore involved therein. The hearing shall then proceed with cross-examination of the Staff's witnesses and presentation of Murphy's rebuttal case.

(F) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 59-3712; Filed, May 1, 1959;
8:45 a.m.]

[Docket Nos. G-14705, G-14764]

DEEP SOUTH OIL COMPANY OF TEXAS**Order Postponing Oral Argument**

APRIL 28, 1959.

The Commission, by order issued February 25, 1959, set March 20, 1959 as the date for oral argument on exceptions to the examiner's decision. By order issued March 13, 1959 said oral argument was postponed to May 1, 1959 upon request of Deep South Oil Company of Texas ("Deep South").

On April 24, 1959, Deep South filed with the Commission a motion for further postponement of the oral argument and alleged that counsel for Texas Gas Corporation and Texas Eastern Transmission Company have indicated that such postponement would be agreeable to them.

The Commission finds: It is appropriate in the public interest to postpone the oral argument in the above-entitled proceedings.

The Commission orders: The oral argument on exceptions to the examiner's decision in the above-entitled proceedings is hereby postponed to June 11, 1959, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary[F.R. Doc. 59-3713; Filed, May 1, 1959;
8:45 a.m.]

[Docket No. G-9892 etc.]

**SOUTH GEORGIA NATURAL GAS CO.
ET AL.****Order Granting Motion To Consolidate
Records for Decision and Denying
Motion To Omit Intermediate Decision
Procedure**

APRIL 28, 1959.

In the matters of South Georgia Natural Gas Company, G-9892; Southern Natural Gas Company, G-14587; Secure Trusts, G-14903; Estate of Lyda Bunker Hunt, Deceased, G-14904; H. L. Hunt, G-14905; The Texas Company, G-15038; Olin Gas Transmission Corporation, G-15110; Earl G. Bateman d/b/a Bateman Drilling Company, Operator, et al., G-15141; Hunt Oil Company, Operator, G-15146; The California Company, G-16680; Placid Oil Company, G-17746; Gulf Oil Corporation, G-17760.

At the conclusion of the hearings in Docket Nos. G-14903 through G-17760 of the above-styled proceedings on April 16, 1959, counsel for Southern Natural Gas Company (Southern), moved orally upon the record, pursuant to § 1.12 of the Commission's rules of practice and procedure (rules), that the record in the proceedings be consolidated for purpose of decision with the record in the consolidated proceedings upon the applications of South Georgia Natural Gas Company and Southern Natural Gas

Company for certificates of public convenience and necessity in Docket Nos. G-9892 and G-14587, respectively, on which hearings were concluded on February 18, 1959. Counsel for Southern also moved that the intermediate decision procedure be omitted pursuant to § 1.30(c) of said rules. These motions were concurred in by counsel for all of the applicants. Staff counsel neither concurred in nor opposed these motions.

In support of its motion to consolidate, Southern states that the Docket No. G-14903, et al. proceedings and the Docket No. G-9892, et al. proceedings are directly related to and mutually dependent upon each other in that the reserves from which the applicants in the Docket Nos. G-14903, et al. proceedings propose to sell gas to Southern constitute a part of Southern's system gas supply relied upon by Southern in support of its application in Docket No. G-14587 for authority to construct and operate facilities and to expand the delivery capacity of its transmission system by approximately 375,000 Mcf per day; that the purposes of consolidation for separate hearings have been served; and that the motion to consolidate, if granted, will further shorten the procedures and materially contribute to an early disposition of the matters involved in and the issues presented by all of the applications.

The Commission finds:

(1) Upon a consideration of all the facts and circumstances as disclosed by the records in the Docket Nos. G-14903, et al. and Docket Nos. G-9892, et al. proceedings, respectively, it is necessary or appropriate to carry out the provisions of the Natural Gas Act that the aforesaid motion to consolidate be granted as hereinafter ordered.

(2) Upon a consideration of all the facts and circumstances as disclosed by the record in the Docket Nos. G-14903, et al. proceedings, sufficient cause has not been shown that due and timely execution of the Commission's functions imperatively and unavoidably requires the omission of the intermediate decision procedure and, therefore, the aforesaid motion to omit should be denied as hereinafter ordered.

The Commission orders:

(A) The motion to consolidate for purpose of decision the proceedings in Docket Nos. G-9892, et al. with the proceedings in Docket Nos. G-14903, et al. is hereby granted.

(B) The motion to omit the intermediate decision procedure in the proceedings as consolidated is hereby denied.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.[F.R. Doc. 59-3714; Filed, May 1, 1959;
8:45 a.m.]

[Project 1585]

**WITHDRAWAL OF LANDS
Vacation**

APRIL 28, 1959.

The Forest Service, United States Department of Agriculture, by letter dated

March 19, 1959, has requested revocation of the withdrawal of lands under section 24 of the Federal Power Act pursuant to the filing on May 5, 1939, of an application for a license for constructed minor Project No. 1585. The lands involved are described in the Commission's August 14, 1939 withdrawal notification letter as follows:

WILLAMETTE MERIDIAN, OREGON

All portions of the following subdivisions lying within 20 feet of the center line of the survey embracing the ditch, flumes, pipe lines, power house, and transmission line locations, all as shown on a map designated Exhibit "F" and entitled "Map to Accompany Power Application Cal-Ore Mining & Development Co., Josephine County, Oregon, Township 25 South, Range 8 West, W.M.", and filed in the office of the Federal Power Commission on May 5, 1939:

T. 35 S., R. 8 W.,
Sec. 2, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 10, lot 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

License No. 2 for the project expired February 28, 1953.

The Forest Service has informed the Commission that the present owners of the project do not intend to apply for a license nor will they use the plant again since commercial power is now available and that the lands are in a condition satisfactory to the Service.

The project, whose installed capacity was about 5 horsepower, was located on the South Fork of Galice Creek, a tributary of the Rogue River, in Josephine County, Oregon, and occupied 16.45 acres of lands of the United States in secs. 2, 3, and 10, T. 35 S., R. 8 W., Willamette meridian, Oregon, within the Siskiyou National Forest.

The Commission finds: Inasmuch as the lands have negligible value for purposes of power development, the existing withdrawal serves no useful purpose and vacation of the withdrawal is in the public interest.

The Commission orders: The existing power withdrawal pertaining to the above-described lands under section 24 of the Federal Power Act pursuant to the filing of the application for a license for Project No. 1585 is vacated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.[F.R. Doc. 59-3715; Filed, May 1, 1959;
8:46 a.m.]

[Docket No. G-17504]

TRUNKLINE GAS CO.**Notice of Application and Date of
Hearing**

APRIL 28, 1959.

Take notice that on January 12, 1959, Trunkline Gas Company (Applicant) filed in Docket No. G-17504 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of field

facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers in the general area of its existing transmission system from time to time during the calendar year 1959, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally co-extensive with its system.

The estimated total cost of the facilities to be constructed during the calendar year 1959 is not to exceed \$1,000,000, with the total cost of any single project not to exceed \$250,000.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 26, 1959, at 9:30 a.m. e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 20, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 59-3716; Filed, May 1, 1959;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 118]

Motor Carrier Transfer Proceedings

APRIL 29, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking recon-

sideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61980. By order of April 23, 1959, The Transfer Board approved the transfer to Raymond C. Day, Klamath Falls, Oregon, of a certificate in No. MC 114370, issued September 30, 1954, in the name of M. M. Valentine and Roscoe G. Lilly, a partnership, doing business as Lilly & Valentine, authorizing the transportation of lumber, other than plywood or veneer, over irregular routes, between points in Klamath County, Oregon, on the one hand, and, on the other, points in Siskiyou County, Calif. R. B. Maxwell, Maxwell & Goddard, First Federal Savings & Loan Building, Klamath Falls, Oregon.

No. MC-FC 62005. By order of April 24, 1959, The Transfer Board approved the transfer to C. L. & A. Motor Delivery Inc., Cincinnati, Ohio, of the operating rights in Certificate No. MC 59352, issued November 16, 1940, to The Cincinnati, Lawrenceburg & Aurora Motor Delivery Company, a Corporation, Cincinnati, Ohio, authorizing the transportation, over a regular route, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Cincinnati, Ohio, and Aurora, Ind. Paul O. Grischy, 1514 First National Bank Building, Cincinnati 2, Ohio, for applicants.

No. MC-FC 62114. By order of April 23, 1959, The Transfer Board approved the transfer to W. Howard Pinkett of Denton, Maryland of certificate No. MC 100413 issued October 6, 1939, in the name of J. Frank Hudson of Berlin, Maryland, authorizing the transportation of passengers and their baggage, restricted to traffic originating at the points indicated, in charter operations, over irregular routes, from Taylorsville, Md., and points in Maryland within six miles of Taylorsville (but not including Bishop, Ocean City, Showell, or any part of Berlin other than Flower Street east of Williams Street), Williamsville, Del., and points in Delaware within six miles of Williamsville (but not including Bayard, Dagsboro, Frankford, Ocean View, Omar, Selbyville) to Philadelphia, Pa.; points in Delaware, and those in Caroline, Cecil, Dorchester, Kent, Queen Anne, Somerset, Talbot, Wicomico, and Worcester Counties, Md. and return. Francis W. McInerney, 1625 K Street NW., Washington 6, D.C., for applicants.

No. MC-FC 62117. By order of April 24, 1959, The Transfer Board approved the transfer to Robert E. Soltow, a partnership doing business as Frank E. Soltow Company, 1811 Gravers Lane, Wilmington, Delaware, of permit No. MC 16280, issued January 13, 1950, to Frank E. Soltow and Robert E. Soltow, a partnership, doing business as Frank E. Soltow Co., 1811 Gravers Lane, Wilmington, Delaware, authorizing the transportation of: Glue stock from Wilmington, Del., to Philadelphia, Pa.

No. MC-FC 62142. By order of April 24, 1959, The Transfer Board approved the transfer to Paul H. Engelke of Stockton, Ill., of Certificate No. MC 115365 issued June 28, 1956, to Kenneth W. Krempel of Chadwick, Ill., authorizing the transportation of insecticides, fungicides, herbicides, rodenticides, insect repellent, vermin exterminators, animal feeds and tonics, and poultry feeds and tonics in containers, over irregular routes, from Omaha, Nebr., to points in Illinois and Wisconsin except to cities, villages and incorporated municipalities. Edward Solle, 715 First National Bank Building, Madison 3, Wis., for applicants.

No. MC-FC 62156. By order of April 24, 1959, The Transfer Board approved the transfer to Elmer R. Fry, doing business as Fry Trucking Company, 809 East Moler Avenue, Martinsburg, West Virginia, of certificate in No. MC 21143, and MC 21143 Sub 3, issued January 18, 1950 and February 14, 1951, respectively, to R. W. Fry and J. W. Fry, a partnership, doing business as Fry Trucking Company, Martinsburg, West Virginia, authorizing the transportation of: Stone, asphaltic concrete, cement, and road building machinery, equipment, and materials from points in West Virginia, to points in Maryland, Virginia, and Pennsylvania; agricultural lime, from points in West Virginia, to points in Virginia, fruit and live poultry from points in West Virginia to Pittsburgh, and Philadelphia, Pa., Camden, N.J., Washington, D.C., and points in New York, N.Y., commercial zone; apples and peaches, in season, from points in West Virginia, to Washington, D.C., Virginia, Pennsylvania, and Maryland; spray materials and fertilizers from Winchester, Va., and Baltimore and Hagerstown, Md., to points in West Virginia; lumber, building contractors' supplies and grain from West Virginia, to points in Maryland, and crushed stone, agricultural lime and concrete blocks from Frederick, Md., to the District of Columbia and points in Pennsylvania, Virginia, and West Virginia, within 60 miles of Frederick.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-3723; Filed, May 1, 1959;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-V-1 (Revision 1), Amdt. 1]

CHIEF, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance Functions

Delegation of Authority No. 30-V-1 (Revision 1) (23 F.R. 3085) is hereby amended as follows:

1. Renumber paragraphs IA9 through 27 as IA10 through 28.
2. Add the following new paragraph IA9:
9. To reinstate any loan authorization cancelled prior to the first disbursement

within six months from the date of the original authorization, providing that no adverse change has occurred since the loan application was approved.

Dated: April 15, 1959.

JAMES F. HOLLINGSWORTH,
Regional Director.

[F.R. Doc. 59-3724; Filed, May 1, 1959;
8:47 a.m.]

[Delegation of Authority 30-IX-5
(Revision 2)]

BRANCH MANAGER, OMAHA, NEBRASKA

Delegation of Authority Relating to Financial Assistance, Procurement and Technical Assistance, and Ad- ministrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 4), as amended (22 F.R. 5811, 8197, 23 F.R. 557, 1768, 8435), there is hereby delegated to the Branch Manager, Omaha, Nebraska, Branch Office, Small Business Administration, the following authority:

A. *Specific—Financial assistance.* To take the following actions in accordance with the limitations of such delegations set forth in SBA-500, Financial Assistance Manual:

1. To approve the following types of loans:

- (a) Direct Business Loans in an amount not exceeding \$20,000;
- (b) Participation Business Loans in an amount not exceeding \$100,000;
- (c) Disaster Loans in an amount not exceeding \$50,000.

2. To decline original applications but not reconsiderations of Disaster Loans.

3. To approve or decline Limited Loan Participation Loans.

4. To enter into Disaster Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

WENDELL B. BARNES,
Administrator.

By _____
Manager, Omaha Branch Office.

6. To modify or amend Washington approved authorizations for business or disaster loans by the issuance of Certificates of Modification, and to modify or amend authorizations for loans approved under delegated authority, in any manner consistent with the original authority to approve loans, provided however in addition to the restrictions set forth in SBA-500, Financial Assistance Manual, this delegation of authority to modify shall not be extended to those conditions inserted by the Regional Office.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To reinstate any loan authorization cancelled prior to the first disbursement within six months from the date of the original authorization providing that no

adverse change has occurred since the loan application was approved.

9. To cancel wholly or in part undisbursed balances of partially disbursed loans and deferred participation agreements, where the Administration has not purchased its participation.

10. To approve, after disbursement or partial disbursement, the salary of new employees, not to exceed \$10,000 per annum.

11. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

12. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of any disaster loan including, without limiting the generality of the foregoing, all powers, terms, conditions and provisions as authorized herein for other loans. Said powers, terms, conditions and provisions shall apply to all documents, agreements or other instruments heretofore or hereafter executed in connection with any loan included in the above functions where such documents, agreements or other instruments are now, or shall be hereafter, in the name of the Reconstruction Finance Corporation or the Small Business Administration.

13. To take the following actions in the administration and collection of business or disaster loans:

(a) Approve or reject substitutions of accounts receivable and inventories.

(b) Release, or consent to the release of inventories, accounts receivable or cash collateral, real or personal property, offered as collateral on loan, including the release of all collateral when loan is paid in full.

(c) Approve the sale of real or personal property and the exchange of equipment held as collateral on loans.

(d) Defer until final maturity date payments on principal falling due prior to or within thirty days after initial disbursement and provide for the coincidence of principal and interest payments.

(e) Designate proxies to vote at stockholders' meetings on stock held as collateral, and determine how such shares are to be voted.

(f) Effect the purchase of the Administration's agreed portion of a participation loan upon the request of the participation institution, consent to the sale to another institution of the Small Business Administration portion of a participation loan, and to cancel any deferred participation agreement upon request of the institution.

14. To take the following actions in all loans except those loans classified as "problem loans" or "in liquidation":

(a) Extend to the maturity of a loan or to a date prior to the maturity, one monthly principal payment in any calendar year, and not more than a total of four such payments during the term of the loan, or one quarterly principal installment payment during the term of the loan, for loans with principal balances not exceeding \$100,000.

(b) Carry loans which are delinquent or past-due not more than three months in such status for an additional period of not more than six months when the principal balances of such loans do not exceed \$100,000.

(c) Extend the maturity of loans (within the statutory limitations) when the principal balances of such loans do not exceed \$100,000.

(d) Approve or decline requests for changes in the repayment terms of notes for loans with principal balances not exceeding \$100,000.

(e) Waive amounts due under net earnings clause.

(f) Approve requests to exceed fixed asset limitations and waive violations of this limitation.

(g) Approve payment of cash or stock dividends, payment of bonuses, increases in salaries, employment of new personnel, and waivers of violation of salary and bonus limitations, provided the Branch Manager considers the bonuses and/or salaries to be paid reasonable and that consent will not be given to any such payment if the payment will impair the borrower's cash position and if the loan is not current in all respects at the time the payment is made.

(h) Approve changes in use of loan proceeds in connection with partially disbursed loans.

(i) Waive violations of agreements to maintain working capital of a specified amount.

15. To accept and join with others in the acceptance of resignations of trustees under declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is a holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

16. To remove and join with others in the removal of any trustee or trustees under any declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

17. To select and designate persons or corporations as original, substitute or successor trustees under declarations of trust, trust indentures, deeds of trust or other trust instruments or agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, bond or instrument issued pursuant thereto and secured thereby to accept on behalf of Small Business Administration or its Administrator beneficial interests in real or personal property.

18. To appoint, consent to or approve of the appointment and join with others

in the appointment, consent or approval of appointment of substitute and successor trustee or trustees under any declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

19. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the granted powers, including, but without limiting the generality of the foregoing, the execution and delivery of quit claim, bargain and sale or special warranty deeds, leases, subleases, assignments, subordinations, satisfaction pieces, affidavits, and such other documents as may be appropriate or necessary to effectuate the foregoing, and ratifying and confirming all that said Branch Manager shall lawfully do or cause to be done by virtue hereof.

20. To take peaceable custody of collateral, as mortgagee in possession thereof or otherwise, whenever such action becomes necessary to protect the interests of or a loan made by Small Business Administration; to take all steps necessary for the preservation and protection of the property, pending foreclosure of the lien and sale of the collateral; and, to obligate the Administration in an amount not in excess of a total of \$1,000 for any one loan, for those expenditures as may be required to accomplish these purposes.

21. To enter into written arrangements with custodians or caretakers of collateral covering their services, which shall not have the effect of making such persons employees of Small Business Administration but shall be limited to their temporary services for the specific purpose involved.

22. To enter into written arrangements with owners of premises, when it is necessary to use a building not part of the loan collateral for the storage of chattels pending foreclosure and sale, for a period of not more than 90 days, including a period of 10 days after the date of sale of the collateral to permit orderly removal of the property from the premises.

23. To post indemnity or other bonds in proceedings in cases where such undertakings are required by State law.

Procurement and technical assistance. To take the following actions in accordance with the limitations of such delegations as set forth in SBA-400, Agency Policy Manual, and SBA-600, Procurement and Technical Assistance Manual:

24. To develop with government procurement agencies required local procedures for implementing established inter-agency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

Administrative. To take the following actions in accordance with the limitations of such delegations as set forth in

SBA-100, Administrative Manual, and SBA-200, Controller's Manual:

25. To administer oaths of office.

26. To approve (a) annual and sick leave, and (b) leave without pay not to exceed 30 days, for employees under the supervision of the Branch Manager.

27. To (a) make emergency purchases not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes, (b) authorize purchases not in excess of such limitations for payment from an Imprest Fund, and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

28. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space, (b) rent office equipment, and (c) procure (without dollar limitation) emergency supplies and materials.

29. To authorize or approve official travel.

30. To negotiate for motor vehicle services from the General Services Administration and to rent garage space for the storage of such vehicles.

B. Correspondence. To sign all non-policy making correspondence relating to the functions of the Branch Office.

II. The specific authority delegated in I.A., except section 24, and I.B. may not be redelegated.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Omaha, Nebraska, is hereby rescinded without prejudice to actions taken under all such Delegations of Authority prior to the date hereof.

Dated: April 3, 1959.

C. I. MOYER,
Regional Director.

[F.R. Doc. 59-3725; Filed, May 1, 1959;
8:47 a.m.]

[Delegation of Authority 30-IX-6
(Revision 2)]

BRANCH MANAGER, ST. LOUIS, MISSOURI

Delegation of Authority Relating to Financial Assistance, Procurement and Technical Assistance, and Ad- ministrative Functions

1. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 4), as amended (22 F.R. 5811, -8197, 23 F.R. 557, 1768, 8435), there is hereby delegated to the Branch Manager, St. Louis, Missouri, Branch Office, Small Business Administration, the following authority:

A. Specific—Financial assistance. To take the following actions in accordance with the limitations of such delegations set forth in SBA-500, Financial Assistance Manual:

1. To approve the following types of loans:

(a) Direct Business Loans in an amount not exceeding \$20,000;

(b) Participation Business Loans in an amount not exceeding \$100,000;

(c) Disaster Loans in an amount not exceeding \$50,000.

2. To decline original applications but not reconsiderations of Disaster Loans.

3. To approve or decline Limited Loan Participation Loans.

4. To enter into Disaster Participation Agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

WENDELL B. BARNES,
Administrator.

By _____
Manager, St. Louis Branch Office.

6. To modify or amend Washington approved authorizations for business or disaster loans by the issuance of Certificates of Modification, and to modify or amend authorizations for loans approved under delegated authority, in any manner consistent with the original authority to approve loans, provided however in addition to the restrictions set forth in SBA-500, Financial Assistance Manual, this delegation of authority to modify shall not be extended to those conditions inserted by the Regional Office.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To reinstate any loan authorization cancelled prior to the first disbursement within six months from the date of the original authorization providing that no adverse change has occurred since the loan application was approved.

9. To cancel wholly or in part undisbursed balances of partially disbursed loans and deferred participation agreements, where the Administration has not purchased its participation.

10. To approve, after disbursement or partial disbursement, the salary of new employees, not to exceed \$10,000 per annum.

11. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

12. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of any disaster loan including, without limiting the generality of the foregoing, all powers, terms, conditions and provisions as authorized herein for other loans. Said powers, terms, conditions and provisions shall apply to all documents, agreements or other instruments heretofore or hereafter executed in connection with any loan included in the above functions where such documents, agreements or other instruments are now, or shall be hereafter, in the name of the Reconstruction Finance Corporation or the Small Business Administration.

13. To take the following actions in the administration and collection of business or disaster loans:

(a) Approve or reject substitutions of accounts receivable and inventories.

(b) Release, or consent to the release of inventories, accounts receivable or cash collateral, real or personal property, offered as collateral on loan, including the release of all collateral when loan is paid in full.

(c) Approve the sale of real or personal property and the exchange of equipment held as collateral on loans.

(d) Defer until final maturity date payments on principal falling due prior to or within thirty days after initial disbursement and provide for the coincidence of principal and interest payments.

(e) Designate proxies to vote at stockholders' meetings on stock held as collateral, and determine how such shares are to be voted.

(f) Effect the purchase of the Administration's agreed portion of a participation loan upon the request of the participation institution, consent to the sale to another institution of the Small Business Administration portion of a participation loan, and to cancel any deferred participation agreement upon request of the institution.

14. To take the following actions in all loans except those loans classified as "problem loans" or "in liquidation":

(a) Extend to the maturity of a loan, or to a date prior to the maturity, one monthly principal payment in any calendar year, and not more than a total of four such payments during the term of the loan, or one quarterly principal installment payment during the term of the loan, for loans with principal balances not exceeding \$100,000.

(b) Carry loans which are delinquent or past-due not more than three months in such status for an additional period of not more than six months when the principal balances of such loans do not exceed \$100,000.

(c) Extend the maturity of loans (within the statutory limitations) when the principal balances of such loans do not exceed \$100,000.

(d) Approve or decline requests for changes in the repayment terms of notes for loans with principal balances not exceeding \$100,000.

(e) Waive amounts due under net earnings clause.

(f) Approve requests to exceed fixed asset limitations and waive violations of this limitation.

(g) Approve payment of cash or stock dividends, payment of bonuses, increases in salaries, employment of new personnel, and waivers of violation of salary and bonus limitations, provided the Branch Manager considers the bonuses and/or salaries to be paid reasonable and that consent will not be given to any such payment if the payment will impair the borrower's cash position and if the loan is not current in all respects at the time the payment is made.

(h) Approve changes in use of loan proceeds in connection with partially disbursed loans.

(i) Waive violations of agreements to maintain working capital of a specified amount.

15. To accept and join with others in the acceptance of resignations of trustees under declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is a holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

16. To remove and join with others in the removal of any trustee or trustees under any declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

17. To select and designate persons or corporations as original, substitute or successor trustees under declarations of trust, trust indentures, deeds of trust or other trust instruments or agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, bond or instrument issued pursuant thereto and secured thereby to accept on behalf of Small Business Administration or its Administrator beneficial interests in real or personal property.

18. To appoint, consent to or approve of the appointment and join with others in the appointment, consent or approval of appointment of substitute and successor trustee or trustees under any declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

19. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the granted powers, including, but without limiting the generality of the foregoing, the execution and delivery of quit claim, bargain and sale or special warranty deeds, leases, subleases, assignments, subordinations, satisfaction pieces, affidavits, and such other documents as may be appropriate or necessary to effectuate the foregoing, and ratifying and confirming all that said Branch Manager shall lawfully do or cause to be done by virtue hereof.

20. To take peaceable custody of collateral, as mortgagee in possession thereof or otherwise, whenever such ac-

tion becomes necessary to protect the interests of or a loan made by Small Business Administration; to take all steps necessary for the preservation and protection of the property, pending foreclosure of the lien and sale of the collateral; and, to obligate the Administration in an amount not in excess of a total of \$1,000 for any one loan, for those expenditures as may be required to accomplish these purposes.

21. To enter into written arrangements with custodians or caretakers of collateral covering their services, which shall not have the effect of making such persons employees of Small Business Administration but shall be limited to their temporary services for the specific purpose involved.

22. To enter into written arrangements with owners of premises, when it is necessary to use a building not part of the loan collateral for the storage of chattels pending foreclosure and sale, for a period of not more than 90 days, including a period of 10 days after the date of sale of the collateral to permit orderly removal of the property from the premises.

23. To post indemnity or other bonds in proceedings in cases where such undertakings are required by State law.

Procurement and technical assistance. To take the following actions in accordance with the limitations of such delegations as set forth in SBA-400, Agency Policy Manual, and SBA-600, Procurement and Technical Assistance Manual:

24. To develop with Government procurement agencies, required local procedures for implementing established inter-agency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

Administrative. To take the following actions in accordance with the limitations of such delegations as set forth in SBA-100, Administrative Manual, and SBA-200, Controller's Manual:

25. To administer oaths of office.

26. To approve (a) annual and sick leave, and (b) leave without pay not to exceed 30 days, for employees under the supervision of the Branch Manager.

27. To (a) make emergency purchases not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes, (b) authorize purchases not in excess of such limitations for payment from an Imprest Fund, and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

28. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space, (b) rent office equipment, and (c) procure (without dollar limitation) emergency supplies and materials.

29. To authorize or approve official travel.

30. To negotiate for motor vehicle services from the General Services Ad-

ministration and to rent garage space for the storage of such vehicles.

B. *Correspondence.* To sign all non-policy making correspondence relating to the functions of the Branch Office.

II. The specific authority delegated in IA, except section 24, and IB may not be redelegated.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, St. Louis, Missouri, is hereby rescinded without prejudice to actions

taken under all such Delegations of Authority prior to the date hereof.

Dated: April 3, 1959.

C. I. MOYER,
Regional Director.

[F.R. Doc. 59-3726; Filed, May 1, 1959;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

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